

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

**PUBLIC ASSEMBLY ROOM
2ND FLOOR CITY-COUNTY BUILDING
1:00 P.M.**

STAFF REPORTS FOR JULY 14, 2016

**These reports do not in any way commit the Hearing Examiner
to approve or disapprove any petition filed before it.**

Any decision of the Hearing Examiner may be appealed to the full Metropolitan Development Commission, subject to deadlines prescribed by the Metropolitan Development Commission's Rules of Procedure. Please contact the Current Planning staff, 317-327-5155, within the first or second day after the hearing, to determine the appropriate appeal procedures.

PETITION NO.	PETITION ADDRESS AND LOCATION	PAGE
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EXPEDITED PETITIONS:

2016-ZON-037	305, 315 AND 325 CABLE STREET; 1817, 1819, 1901, 1910, 1911, 1912, 1914, 1921 AND 2005 WEST MICHIGAN STREET; 226, 229, 241, 245, 246, 253, 262, 266 AND 267 NORTH RICHLAND AVENUE AND 1621 AND 1625 WEST VERMONT STREET CENTER TOWNSHIP, CD #11 AND CD #16	3
2016-ZON-038	1730 ASTOR STREET, 261 AND 269 NORTH ELDER STREET; 1721 WEST MARKET STREET; 1746 WEST MIAMI STREET; 221, 252, 259, 266, 268, 271, 275 AND 280 MILEY AVENUE; 1815 WEST NEW YORK STREET; 210, 211, 215, 217, 218 AND 224 NORTH RICHLAND STREET CENTER TOWNSHIP, CD #16	6

CONTINUED PETITIONS:

2015-ZON-091	3604 MADISON AVENUE PERRY TOWNSHIP, CD #16	9
2016-ZON-023	343 AND 345 WEST MCCARTY STREET, 817 AND 841 MISSOURI STREET, AND 824, 826 AND 844 MEIKEL STREET CENTER TOWNSHIP, CD #16	19
2016-ZON-030**	3808 SHELBY STREET PERRY TOWNSHIP, CD #16	29
2016-ZON-031	6508, 6516 AND 6520 WESTFIELD BOULEVARD WASHINGTON TOWNSHIP, CD #2	40

2016-CPL-801 /** 2016-CVR-801	7899 HIGH DRIVE WASHINGTON TOWNSHIP, CD #2	57
2016-CZN-810 / 2016-CVR-810	6364, 6402 AND 6440 WESTFIELD BOULEVARD WASHINGTON TOWNSHIP, CD #2	58
2016-CZN-813 /** 2016-CVR-813** (Amended)	3435 AND 3451 SOUTH POST ROAD FRANKLIN TOWNSHIP, CD #18	85
2016-CZN-814 / 2016-CVR-814 (Amended)	2542 NORTH DELAWARE STREET CENTER TOWNSHIP, CD #11	86
NEW PETITIONS:		
2016-APP-010	545 EAST 19TH STREET CENTER TOWNSHIP, CD #11	98
2016-APP-011	4600 SUNSET AVENUE WASHINGTON TOWNSHIP, CD #7	107
2016-ZON-033	5401 WEST 16TH STREET WAYNE TOWNSHIP, CD #15	122
2016-ZON-035**	1660, 1702, 1706, 1710, 1714 AND 1718 BELLEFONTAINE STREET AND 902 EAST 17TH STREET CENTER TOWNSHIP, CD #17	130
2016-ZON-036	5225 WEST 10TH STREET WAYNE TOWNSHIP, CD #15	131
2016-CZN-816 /** 2016-CVR-816**	1427, 1431, 1433, 1437 AND 1443 EAST PROSPECT STREET AND 1116 SPRUCE STREET CENTER TOWNSHIP, CD #21	140

*Automatic Continuance **Continuance Requested ***Withdrawal or Dismissal Requested

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2016-ZON-037
Address: 305, 315 and 325 Cable Street; 1817, 1819, 1901, 1910, 1911, 1912, 1914, 1921 and 2005 West Michigan Street; 226, 229, 241, 245, 246, 253, 262, 266 and 267 North Richland Avenue and 1621 and 1625 West Vermont Street (*Approximate Addresses*)
Location: Center Township, Council District # 11 and 16
Petitioner: The Department of Metropolitan Development, by Jeff Miller
Request: Rezoning of 2.5 acres from the I-4 (RC) (W-5) and C-3 (W-5) districts to the D-8 (RC) (W-5) and the D-8 (W-5) classifications.

RECOMMENDATIONS

Staff **recommends approval** of this request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

- ◇ This request proposes to rezone twenty-four residential parcels on the near west-side, from the I-4 (RC) (W-5) and C-3 (W-5) classifications to the D-8 (RC) (W-5) and D-8 (W-5) classifications, to legally establish existing residential uses.
- ◇ This rezoning is the result of an effort on behalf of the City of Indianapolis to rezone residential properties that are incorrectly zoned for industrial or commercial purposes to their more appropriate residential classification.
- ◇ The Near West Neighborhood Land Use Plan recommends residential development of eight to fifteen units per acre. This request is consistent with a recommendation of the Plan to rezone these sites to their proper classification. The proposed rezoning would be consistent with the Plan.

REGIONAL CENTER OVERLAY ZONE

- ◇ A number of parcels, generally those east of Miley Avenue, are located within the Regional Center Overlay Zone. Design of all new construction, such as a garage or dwelling addition, in the Regional Center Overlay Zone is subject to the approval of the Administrator of the Division of Planning. Thus, any proposed development would be required to receive Regional Center approval, through the filing and approval of a Regional Center Approval Petition, prior to obtaining any permits.

(Continued)

STAFF REPORT 2016-ZON-037 (Continued)

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

I-4 (RC) (W-5) and C-3 (RC) (W-5) Single-family residential

SURROUNDING ZONING AND LAND USE

North	-	D-5 / I-4 (RC)	Single-family residential
South	-	D-5 / I-4 (RC)	Single-family residential
East	-	C-3 / D-8 (RC)	Single-family residential
West	-	C-3 / I-4 (RC)	Single-family residential

COMPREHENSIVE PLAN

The site is located within the boundaries of the Near West Neighborhood Land Use Plan, which recommends residential development of five to eight units per acre

THOROUGHFARE PLAN

The Official Thoroughfare Plan for Marion County indicates that Michigan Street is a primary thoroughfare, with an 80-foot right-of-way existing and proposed. None of the other affected streets are identified in the Official Thoroughfare Plan for Marion County.

ZONING HISTORY

2015-ZON-030; 223 Lynn Street, requests rezoning of 1.73 acres, from the I-4-U (W-5) District, to the SU-7 (W-5) classification to provide for a not-for-profit charity, within a two-story, approximately 15,000-square foot multi-use facility, with off-street parking, **approved**.

2010-ZON-089; 265 North Elder Avenue, requests rezoning of 0.10 acre, from the I-4-U (W-5) District, to the D-5 (W-5) classification to provide for residential uses, **approved**.

2002-ZON-154; 284-290 Miley Ave, requests rezoning of 0.22 acres from the I-4-U District to the SU-1 district for religious uses, **withdrawn**.

2005-UV2-020; 307 and 319 North Elder Avenue, requests a variance of Use of the Dwelling Districts Zoning Ordinance to provide for the construction of a one-story, 2,818-square foot community center, with a 5.47-foot front yard setback along New York Street, with a 2.5-foot encroachment into the clear sight triangle at the intersection of New York Street and Elder Avenue, and with lot open space of 62.88 percent, **granted**.

98-UV1-21; 275-279 North Elder Avenue, requests a variance of use and development standards of the Industrial Zoning Ordinance to provide for the conversion of an originally constructed two-family residential structure into 4 dwelling units and a detached accessory building into a dwelling unit with a side yard of zero feet along the south property line; and zero off-street parking spaces, **granted**.

JY



Affected parcels - 2016-ZON-037

STAFF REPORT
Department of Metropolitan Development
Division of Planning, Current Planning Section

Case Number: 2016-ZON-038
Address: 1730 Astor Street, 261 and 269 North Elder Street; 1721 West Market Street; 1746 West Miami Street; 221, 252, 259, 266, 268, 271, 275 and 280 Miley Avenue; 1815 West New York Street; 210, 211, 215, 217, 218 and 224 North Richland Street (*Approximate Addresses*)
Location: Center Township, Council District # 16
Petitioner: The Department of Metropolitan Development, by Jeff Miller
Request: Rezoning of 2.6 acres, from the I-4 (RC) (W-5) and I-4 (W-5) districts, to the D-5 (RC) (W-1) and the D-5 (RC) (W-5) and D-5 (W-5) classifications.

RECOMMENDATIONS

Staff **recommends approval** of this request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

- ◇ Subsequent to filing this petition, the owners of two parcels opted out of the rezoning request. Therefore, 410 North White River Parkway and 1519 Wilcox Street have been removed. These sites will remain C-3 (RC) (W-1).
- ◇ This request proposes to rezone twenty residential parcels on the near west-side, from the I-4 (RC) (W-5) and I-4 (W-5) classifications to the D-5 (RC) (W-1) and the D-5 (RC) (W-5) and D-5 (W-5) classifications, to legally establish existing residential uses.
- ◇ This rezoning is the result of an effort on behalf of the City of Indianapolis to rezone residential properties that are incorrectly zoned for industrial or commercial purposes to their more appropriate residential classification. This action is recommended by the Near West Neighborhood Land Use Plan.
- ◇ The Near West Neighborhood Land Use Plan recommends residential development of five to eight units per acre. The proposed rezoning would be consistent with the Plan.

REGIONAL CENTER OVERLAY ZONE

- ◇ A number of parcels, generally those east of Miley Avenue, are located within the Regional Center Overlay Zone. Design of all new construction, such as a garage or dwelling addition, in the Regional Center Overlay Zone is subject to the approval of the Administrator of the Division of Planning. Thus, any proposed development would be required to receive Regional Center approval, through the filing and approval of a Regional Center Approval Petition, prior to obtaining any permits.

(Continued)

STAFF REPORT 2016-ZON-038 (Continued)

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

I-4 (RC) (W-5), I-4 (W-5) and C-3 (RC) (W-1) Single-family residential

SURROUNDING ZONING AND LAND USE

North	-	I-4 (RC)	Single-family residential
South	-	I-4 (RC)	Single-family residential
East	-	I-4 D-8 (RC)	Single-family residential
West	-	SU-7 / I-4 (RC)	Single-family residential

COMPREHENSIVE PLAN

The site is located within the boundaries of the Near West Neighborhood Land Use Plan, which recommends residential development of five to eight units per acre

THOROUGHFARE PLAN

None of the affected streets are identified in The Official Thoroughfare Plan for Marion County.

ZONING HISTORY

2015-ZON-030; 223 Lynn Street, requests rezoning of 1.73 acres, from the I-4-U (W-5) District, to the SU-7 (W-5) classification to provide for a not-for-profit charity, within a two-story, approximately 15,000-square foot multi-use facility, with off-street parking, **approved**.

2010-ZON-089; 265 North Elder Avenue, requests rezoning of 0.10 acre, from the I-4-U (W-5) District, to the D-5 (W-5) classification to provide for residential uses, **approved**.

2002-ZON-154; 284-290 Miley Ave, requests rezoning of 0.22 acres from the I-4-U District to the SU-1 district for religious uses, **withdrawn**.

2005-UV2-020; 307 and 319 North Elder Avenue, requests a variance of Use of the Dwelling Districts Zoning Ordinance to provide for the construction of a one-story, 2,818-square foot community center, with a 5.47-foot front yard setback along New York Street, with a 2.5-foot encroachment into the clear sight triangle at the intersection of New York Street and Elder Avenue, and with lot open space of 62.88 percent, **granted**.

98-UV1-21; 275-279 North Elder Avenue, requests a variance of use and development standards of the Industrial Zoning Ordinance to provide for the conversion of an originally constructed two-family residential structure into 4 dwelling units and a detached accessory building into a dwelling unit with a side yard of zero feet along the south property line; and zero off-street parking spaces, **granted**.

JY



Affected parcels - 2016-ZON-038

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2015-ZON-091 (Amended)
Address: 3604 Madison Avenue (*Approximate Address*)
Location: Perry Township, Council District #16
Petitioner: Liberty Commercial Investors, LLC, by Jeffrey L. Robbins
Requests: Rezoning of three acres from the D-A district to the C-7 classification to provide for truck and trailer repair.

ADDENDUM FOR JULY 14, 2016, HEARING EXAMINER

The Hearing Examiner continued this petition from the June 23, 2016 hearing, to the July 14, 2016 hearing. The petitioner submitted proposed commitments on June 15, 2016. The commitments include dedicating a sixty-foot right-of-way along the frontage of Madison Avenue, prohibiting some C-7 uses, and limiting number of trucks and trailers that would be stored on the property to ten each, for a total of 20 trucks and trailers.

Staff continues to **recommend denial** of this request because of previously stated concerns related to the intensity of the proposed use and the inconsistency with the Plan recommendation of commercial and retail services.

ADDENDUM FOR JUNE 23, 2016, HEARING EXAMINER

This petition was continued from the May 26, 2016 hearing, to the June 23, 2016 hearing, to provide additional time for the petitioner to provide commitments.

On June 9, 2016, the petitioner, by Special Request, requested a continuance from the June 23, 2016 hearing, to the July 14, 2016 hearing, due to his unavailability for the hearing on June 23, 2016. The Hearing Examiner granted the continuance to the July 14, 2016 hearing.

ADDENDUM FOR MAY 26, 2016, HEARING EXAMINER

This petition was continued from the April 14, hearing to the May 26, 2016 hearing to provide time to amend the petition and send new notice. The request was amended to provide for truck and trailer repair, within the C-7 classification. Staff continues to **recommend denial** for the same reasons previously stated.

ADDENDUM FOR APRIL 14, 2016, HEARING EXAMINER

The Hearing Examiner continued this petition from the February 11, 2016, hearing, to the April 14, 2016, hearing, at the request of the petitioner.

(Continued)

STAFF REPORT 2015-ZON-091 (Continued)

ADDENDUM FOR FEBRUARY 11, 2016, HEARING EXAMINER

The Hearing Examiner continued this petition from the January 14, 2016, hearing to the February 11, 2016, hearing at the request of the petitioner.

January 14, 2016

The Hearing Examiner continued this petition from the December 10, 2015, hearing to January 14, 2016, hearing.

RECOMMENDATIONS

Staff **recommends denial** of this request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE ISSUES

- ◇ This 3.0-acre site, zoned D-A, is developed with a single-family dwelling converted to a commercial use, with building expansions. A variance of use for the hardware store was granted in 1979 (79-UV3-91). The site is surrounded by commercial uses to the north and south, zoned C-5; undeveloped land to the east, across Madison Avenue, zoned C-7, and a single-family dwelling, along with commercial uses to the west, zoned D-A.
- ◇ The neighborhood plan for this area recommends commercial retail and services. As described in the plan, this land use category allows for uses typically found in the C-3 Neighborhood Commercial District, which provides for a complete range of retail sales and personal, professional and business services required to meet the maximum demand of a fully developed residential neighborhood.

REZONING

- ◇ This request would provide for rezoning to the C-7 High Intensity Commercial District to provide for boat rental. This district provides for retail commercial uses, which have incompatible features relative to other commercial uses, such as major outdoor storage or display of sizeable merchandise. Due to the intensity of permitted uses, "location of this district adjacent to protected districts should be avoided."

(Continued)

STAFF REPORT 2015-ZON-091 (Continued)

- ◇ Because of the impact of large outdoor display, development standards of the C-7 District require setbacks from all surrounding land uses, repair and service be conducted within enclosed buildings, a 20-foot setback from the proposed right-of-way for product display, hard-surfaced display areas, and display areas maintained in an orderly manner.
- ◇ Because the proposed rezoning would be inconsistent with the neighborhood plan, constrained by the floodplain, and impacting the surrounding properties because of its intensity, staff recommends this request be denied.

FLOODWAY FRINGE

- ◇ This site has a secondary zoning classification of a Floodway Fringe (FF), which is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.
- ◇ The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. All uses permitted in the primary zoning district (C-7 in this request) are permitted, subject to certain development standards of the Flood Control Districts Zoning Ordinance.

DEPARTMENT OF PUBLIC WORKS

- ◇ The Department of Public Works, Traffic Planning Section, also requested the dedication and conveyance of a 70-foot half right-of-way along Madison Avenue.

PROCEDURE

- ◇ If this request is approved, staff recommends the following commitment be reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

A sixty-foot half right-of-way shall be dedicated along the frontage of Madison Avenue, as per the request of the Department of Public Works (DPW), Transportation Section. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The DPW has requested that the right-of-way be granted within 60 days of approval.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

D-A	Vacant (previously a hardware store)
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(Continued)

STAFF REPORT 2015-ZON-091 (Continued)

SURROUNDING ZONING AND LAND USE

North -	C-5	Commercial uses
South -	C-5 / D-7	Commercial uses
East -	C-7	Undeveloped land
West -	D-A	Single-family dwelling / commercial use

NEIGHBORHOOD PLANNING AREA (2000)	The Concord Community Plan recommends commercial retail and services.
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THOROUGHFARE PLAN	This portion of Madison Avenue is designated on the Official Thoroughfare Plan as a secondary arterial, with an existing 100-foot right-of-way and a proposed 94-foot right-of-way.
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FLOODWAY / FLOODWAY FRINGE	A large portion of this site falls within the floodway fringe of Highland Creek.
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ZONING HISTORY

SUBJECT SITE

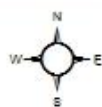
79-UV3-91; 3604 Madison Avenue requested a variance of use, development standards of the Flood Way to permit erection of 50' x 60' warehouse building for existing non-conforming hardware store, **granted**.

VICINITY

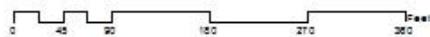
94-UV1-67; 520 East Norton Avenue (west of site), requested a variance of use for the Dwelling districts Zoning Ordinance to provide for outdoor storage of automobiles, **granted**.

90-V1-55; 3750 Madison Avenue (south of site), requested a variance of the Sign Regulations to permit the placement of sign graphics on gasoline pumps in excess of 12 square feet, **withdrawn**.

kb



3604 Madison Avenue





View of site looking north along Madison Avenue



View of site looking east from Norton Avenue



View of site looking north from gravel parking area



View looking west along Norton Avenue towards South East Street



View from site looking northeast at adjacent commercial uses



View from site looking southeast, across Madison Avenue



View from site looking east, across Madison Avenue



View from site looking northeast, across Madison Avenue



View from site looking south



View from site looking northwest

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2016-ZON-023
Address: 343 and 345 West McCarty Street, 817 and 841 Missouri Street and 824, 826 and 844 Meikel Street (Approximate address)
Location: Center Township, Council District # 16
Petitioner: Stadium Partners, LLC.
Requests: Rezoning of 1.14 acres, from the I-3 (RC) district to the CBD-2 (RC) classification.

RECOMMENDATIONS

Staff **recommends approval** of the rezoning request, subject to the following commitments, being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. The uses permitted shall be limited to those listed in the medium-density mixed-use category in the Regional Center Plan 2020, including medium-density housing, business services and professional offices, restaurants and small retail uses such as flower shops and clothing stores.
2. The existing surface parking lot shall only be used for event parking. Any expansion of the lot shall meet Regional Center Urban Design Guidelines for surface parking lots.
3. No building shall exceed 50 feet in height.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

- ◇ The request would provide for the rezoning of several parcels connected by a former railroad right-of-way and prior to that, Pogues Run, totaling 1.14 acres. The site is south of McCarty Street, directly east of Missouri Street, a one-way northbound arterial street. McCarty is the main east-west arterial street south of Lucas Oil Stadium and provides access to Interstate 70. Missouri Street is a one-way thoroughfare providing access from Interstate 70 into downtown.
- ◇ Two of the parcels are improved with structures, with one structure at 343 West McCarty Street and the other at 844 Meikel Street. The other parcels are unimproved and currently used for event parking for Lucas Oil Stadium.
- ◇ The surrounding area is comprised of a mix of uses, including single-family dwellings, a former industrial use and a small park. The Regional Center Plan 2020 recommends the site for medium-density mixed-use development. The CBD-2 district would also permit the
(Continued)

STAFF REPORT 2016-ZON-023 (Continued)

existing uses and allow for future development. However, staff is concerned that a blanket rezoning to CBD-2 would impact the existing single-family dwellings that exist near the subject parcels. Though zoned I-3, those dwellings should be protected. Staff would suggest that permitted uses should be limited to the uses included within the Plan's medium-density mixed-use category.

- ◇ The list includes medium-density housing, theaters, business services and offices, restaurants and taverns. Additional small retail uses, such as flower shops and clothing stores could be acceptable, since off-street parking is provided. Finally, buildings in the immediate area are no taller than three stories. Therefore, buildings should also be limited to no more than 50 feet in height. The existing parking lot could also remain if used for event parking for Lucas Oil Stadium. Any expansion of the parking lot shall be required to meet the Regional Center Urban Design Guidelines.

REGIONAL CENTER

- ◇ The site is located within the Regional Center overlay district. Design of all new construction, including parking areas in the Regional Center overlay district is subject to the approval of the Administrator of the Division of Planning.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE I-3 (RC) Two structures and surface parking

SURROUNDING ZONING AND LAND USE

North	- CBD-2 and I-3 (RC)	Lucas Oil Stadium
South	- I-3 (RC)	Single-family dwellings
East	- I-3 (RC)	Industrial across Meikel Street
West	- I-3 (RC)	Auto parts, across Missouri Street

COMPREHENSIVE PLAN	The site is located within the boundaries of the Regional Center Plan 2020, which recommends medium-density mixed-use development.
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THOROUGHFARE PLAN	The Official Thoroughfare Plan for Marion County indicates that McCarty Street is a primary arterial, with a 60-foot right-of-way existing and proposed. Missouri Street is a primary arterial, with an 80-foot right-of-way existing and proposed.
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ZONING HISTORY

2016-ZON-014; 823 Chadwick Street and 828 South Missouri Street, requested a rezoning of 0.43 acre, from the I-3 (RC) District, to the CBD-2 (RC) classification, **pending**.

(Continued)

STAFF REPORT 2016-ZON-023 (Continued)

2013-DV2-011; 733 South West Street, requests a variance of development standards of the Central Business Districts Zoning Ordinance to provide for a trash container in the front of the established front building line of McCarty Street, **granted**.

2013-REG-039; 733 South West Street, requests Regional Center Approval to provide for maintenance of an existing parking lot, landscaping and façade improvements to an existing building, **approved**.

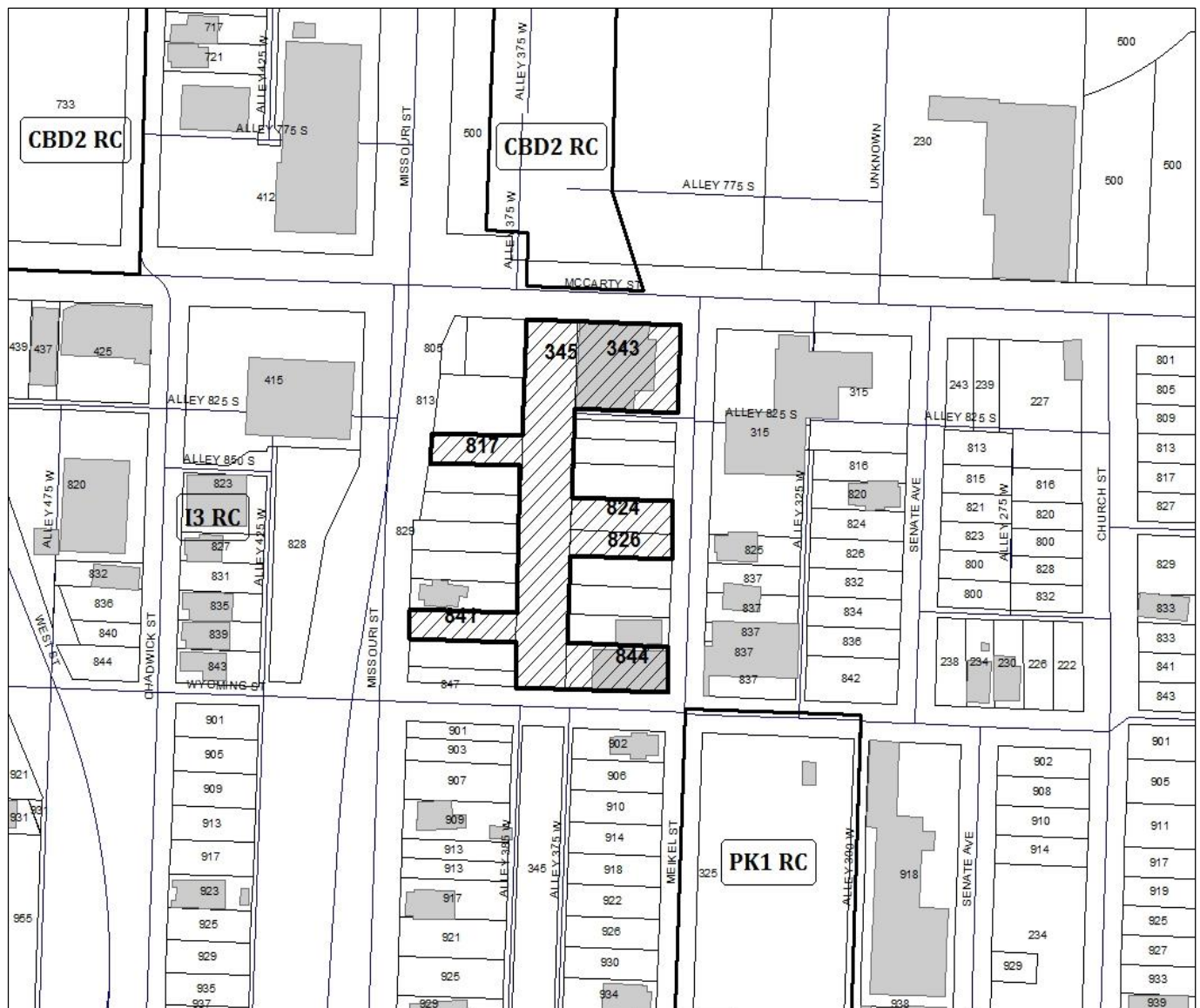
2012-ZON-056; 733 South West Street, requests a rezoning of 1.38 acres, from the I-3-U (RC) classification to the CBD-2 (RC) classification, **approved**.

2007-APP-055; 412 West McCarty Street, requests Regional Center Approval to provide for a 50-foot by 80-foot building addition, **dismissed**.

2005-APP-168; 802 South West Street, requested Regional Center Approval for façade improvements and signage, **approved**.

2004-APP-042; 412 West McCarty Street, requests Regional Center Approval to provide for a 45-foot by 72-foot storage building, **approved**.

JY





343 West McCarty Street – 2016-ZON-023



824 and 826 Meikel Street – 2016-ZON-023



844 Meikel Street – 2016-ZON-023



345 West McCarty Street, from Wyoming Street looking north – 2016-ZON-023



841 Missouri Street – 2016-ZON-023



817 Missouri Street – 2016-ZON-023

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Petition Number(s): 2016-ZON-030
General Location: 3808 Shelby Street (*Approximate Address*)
Indianapolis
Township(s): Perry
Council District(s): 16
Petitioner/Agent: William Zink
Request(s): Rezoning of 1.21 acres, from the UQ-1 District, to the C-7 classification to provide for artisan food and beverage production, with outdoor seating.

ADDENDUM FOR JULY 14, 2016, HEARING EXAMINER

The Hearing Examiner continued this petition from the June 9, 2016 hearing, to the July 14, 2016 hearing, to provide additional time for the petitioner to amend the petition and send new notice. The petition will need to be continued from the July 14, 2016 hearing, to the August 11, 2016 hearing to provide additional time for new notice, including a variance of development standards.

June 9, 2016

RECOMMENDATIONS

Staff **recommends denial** of this request, Staff, however, would **recommend approval** of an amended petition to rezone to the C-3 classification.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

- ◇ This 1.21-acre site, zoned UQ-1, is developed with a one-story brick commercial structure previously used as a bowling alley, with parking. It is surrounded by industrial uses to the north and west, across a railroad right-of-way, zoned I-3; a university campus to the east, zoned UQ-1; and university uses to the south, zoned UQ-1.
- ◇ This site also falls within Critical Area A identified in the *Shelby Street Corridor Plan*. The Plan encourages development accommodating to pedestrians and bicyclists, and discourages infill development that is auto-dependent and better suited for sites along more major nearby thoroughfares such as Madison Avenue and East Street. See Exhibit A.

(Continued)

STAFF REPORT 2016-ZON-030 (Continued)

REZONING

- ◇ The *Red Line Transit Oriented Development Strategic Plan* has identified the area around the intersection of Shelby Street and Hanna Avenue, including this site, with a Regional Office Park or Campus typology. Characteristic uses of this typology include a mix of office retail, entertainment, and residential with higher densities at the center of the area.
- ◇ Petition 2012-ZON-079 rezoned this site from the I-3-U District to the UQ-1 classification. The initial rezoning request was for the C-4 classification. Staff recommended denial of this request because of the inconsistency with the Plan recommendation and the text of Critical Area A. The request was amended to request rezoning to the UQ-1 classification and subsequently approved.
- ◇ This request would rezone the site from the UQ-1 District to the C-7 classification to provide for artisan food and beverage production, with outdoor seating. The C-7 District is a high-intensity district characterized by “unusually incompatible features relative to other commercial uses, such as major outdoor storage or display of sizeable merchandise and the outdoor parking and storage of trucks, materials or equipment.” Many uses involve service operations or fabrication of parts that are more compatible with industrial uses. This district is more appropriately located on major commercial arterial thoroughfares and near interstate freeways and not on secondary arterials and a university campus.
- ◇ Staff believes rezoning of this site to the C-7 classification would not be appropriate for a number of reasons. The request is wholly inconsistent with the Plan for the corridor, including the recommendations of the Critical Area A, as well as the *Red Line Transit Oriented Development Strategic Plan*. Furthermore, the proposed use for an artisan food and beverage production, with outdoor seating, is a use that is permitted in the C-3 District, which would be more compatible and consistent with the Plan and surrounding area, and would be supportable by staff.

EXISTING ZONING AND LAND USE

UQ-1	Vacant commercial building
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SURROUNDING ZONING AND LAND USE

North -	I-3	Industrial uses
South -	UQ-1	Commercial uses
East -	UQ-1	University campus
West -	I-3	Railroad / Industrial uses

COMPREHENSIVE PLAN

The *Shelby Street Corridor Plan (2008)* recommends community commercial.

The *Red Line Rapid Transit Oriented Development Strategic Plan (2015)* recommends regional office park or campus typology.

Continued)

STAFF REPORT 2016-ZON-030 (Continued)

REZONING

THOROUGHFARE PLAN	This portion of Shelby Street is designated in the Marion County Thoroughfare Plan as a secondary arterial, with an existing 60-foot right-of-way and proposed 94-foot right-of-way.
FLOWWAY / FLOODWAY FRINGE	This site is not within a floodway or floodway fringe.
SITE PLAN	File-dated May 5, 2016

ZONING HISTORY

2012-ZON-079; 3808 Shelby Street, requested rezoning of 1.2 acres from the I-3-U District to the UQ-1 classification to provide for university-related uses, **approved**.

VICINITY

2011-ZON-021; 3920, 4005 and 4011 Shelby Street and 1109, 1219, and 1400 East Hanna Avenue (south of site), requested rezoning of 1.69 acres, being in the D-4, C-3, and C-7 Districts, to the UQ-1 classification to provide for university uses, **approved**.

98-UV2-24; 3920 Shelby Street, (south of site), requested a variance of use of the Commercial Zoning Ordinance to provide for automobile sales, **granted**.

98-Z-134; 4002 Bowman Avenue (south of site), requested rezoning of 0.12 acre from the D-4 District to the UQ-1 classification, **approved**.

98-Z-133; 1545 Windemere Street (south of site), requested rezoning of 0.49 acre from the D-4 District to the UQ-1 classification, **approved**.

96-Z-192; 1202 East Hanna Avenue (south of site), requested rezoning of 6.5 acres, from the C-4 District, to the UQ-1 classification to provide for university uses, **approved**.

kb

EXHIBIT A

Critical Area A – University District

Location: The east side of Madison Avenue and east and west sides of Shelby street between National Avenue and Windermere Street and Hanna Avenue between Madison Avenue and Bowman Avenue.

Why Critical:

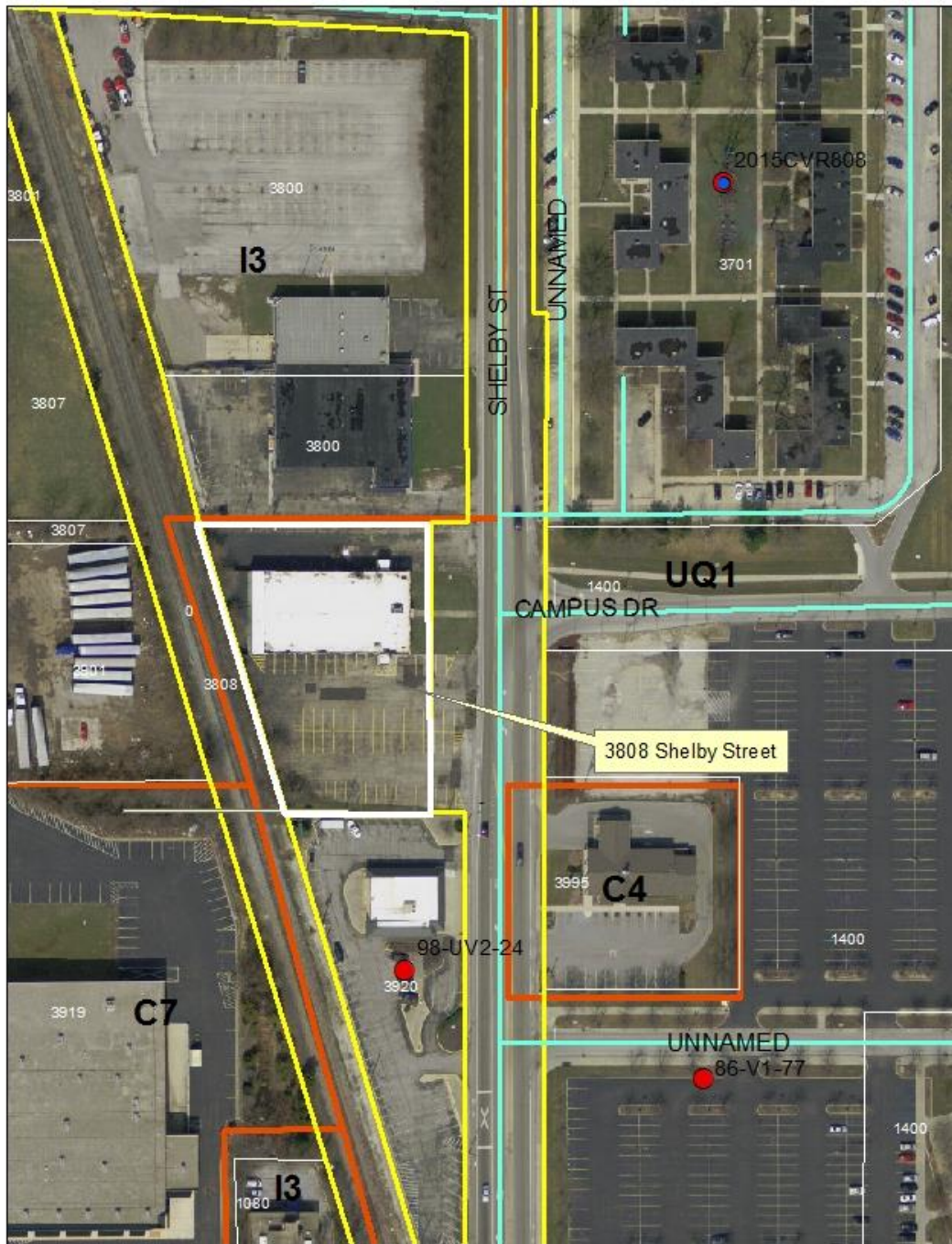
The University District matches the Campus Pedestrian District of the Indianapolis MPO Regional Pedestrian Plan. The entire Campus Pedestrian District shown on Exhibit 5. The Campus District contains retail uses, industrial, wholesale business, the Hannah House, the University of Indianapolis and residential neighborhoods to the north and south of the University. The Campus District's western edge overlays the recommended Pedestrian Corridor on Madison Avenue.

Transit Related Redevelopment Scenario

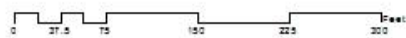
Other land use scenarios may become feasible as regional rapid transit plans advance with the selection of routes and stations. This University District is well situated to be redeveloped in stages from an automobile dependent suburban retail district into a transit-ready mixed use district. Planning for these possibilities must occur before firm commitments are made on transit services. Near term and long term recommendations are presented.

Overall District Recommendations:

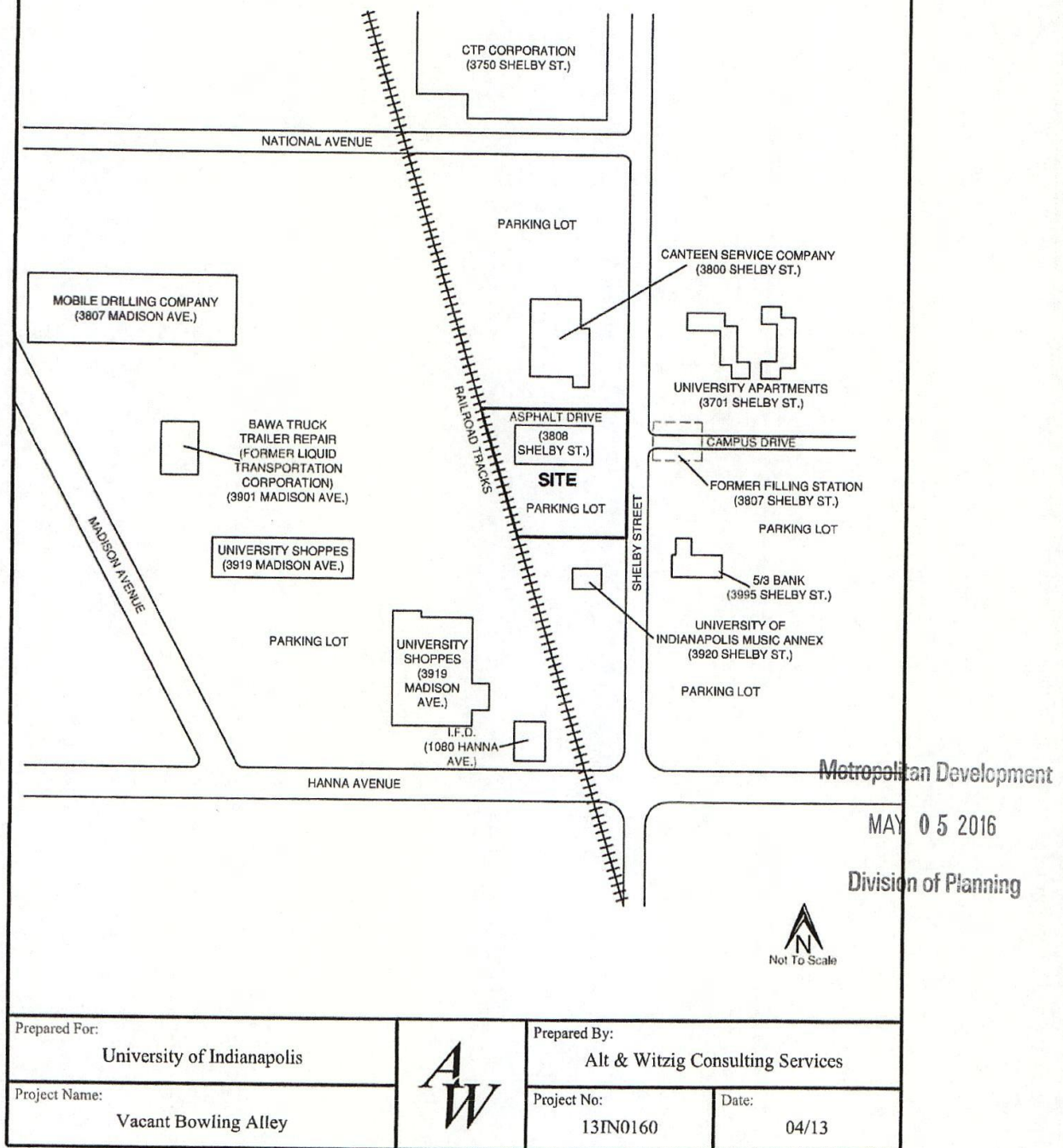
- Adopt measures that will ensure that the University District becomes more transit supportive over time.
- Use zoning tools to restrict the expansion of non-conforming uses;
- Encourage new and remodeled stores, offices and entertainment destinations to be walkable destinations with amenities for pedestrians and bicyclists. Provide internal pathways for safe and enjoyable walking and biking.
- Encourage redevelopment sites to complete missing sidewalks in accordance with the Shelby Street Corridor Connectivity Plan and the MPO Regional Pedestrian Plan. Sidewalk construction required by zoning should not be diverted to locations outside the redevelopment sites.
- Encourage greater use of existing mass transit services.
- Discourage in-fill development within the district that is auto-dependent and may be better suited to under-used sites outside the Shelby Street Corridor area along East Street and Madison Avenue.
- Encourage residential at a minimum density of 15 residential units per acre within the University District. Mixed use structures are encouraged to contain residential uses above ground level retail, office or institutional uses.



3808 Shelby Street



**FIGURE 2
SITE PLAN**





View of site looking west, across Shelby Street



View of site looking southwest



View of site looking northwest



View from site looking east, across Shelby Street



View from site looking northeast at the university campus student housing



View from site looking northwest at abutting property



View looking west along north boundary of site



View from site looking north along Shelby Street



View from site looking south along Shelby Street

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Petition Number(s): 2016-ZON-031
General Location: 6508, 6516 and 6520 Westfield Boulevard (*Approximate Address*)
Indianapolis
Township(s): Washington
Council District(s): 2
Petitioner/Agent: William J. and Nancy Darosett and Sheila Barton DDS, Sheila Barton DDS LLC and Hotel Broad Ripple LLC, by David Kingen and Justin Kingen
Request(s): Rezoning of 0.65 acre, from the C-S (FF) district to the C-S (FF) classification to provide for MU-1 and MU-2 uses, a hotel, and event center with live entertainment.

ADDENDUM FOR JULY 14, 2016, HEARING EXAMINER

A timely automatic continuance was filed by a registered neighborhood organization continuing this petition from the June 9, 2016 hearing, to the July 14, 2016 hearing.

June 9, 2016

RECOMMENDATIONS

Staff **recommends approval** of this request, subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. All development shall be in accordance with the Development Statement, file-dated July 6, 2016, and site plan, file-dated May 27, 2016.
2. All uses and activities shall be in accordance with the Plan of Operation, file-dated July 6, 2016.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

- ◇ This 0.65-acre site, zoned C-S, is comprised of three parcels of land. The southernmost parcel (addressed as 6508 Westfield Boulevard) is developed with a multi-story office building. The center parcel (addressed as 6512 Westfield Boulevard) is a single-family dwelling used commercially. The northernmost parcel (addressed at 6529 Westfield Boulevard) functions as a small boutique hotel.

(Continued)

STAFF REPORT 2016-ZON-031 (Continued)

- ◇ The site is surrounded by a commercial contractor to the north, zoned C-S; White River to the east, across Westfield Boulevard, zoned D-S; commercial uses to the south, zoned C-S; and the Monon Trail, zoned C-S.
- ◇ Petitions 2010-CZN-830 / 2010-CVR-830 included the parcel addressed as 6520 Westfield Boulevard and two parcels to the north, addressed as 6532 and 6534 Westfield Boulevard. The petitions requested rezoning from the C-S District to the C-S classification to provide for a 22-room, 15,898-square foot, 50-foot tall hotel. Variances for reduced parking setbacks to the north and west, with maneuvering in the alley and without a loading space. Both of these petitions were approved and granted.
- ◇ Petitions 2014-CZN-800 / 2016-CVR-800, with an address of 6542 Westfield Boulevard requested rezoning from the C-S District to the C-S classification to provide for retail uses, with outdoor seating and a variance of development standards for a zero-foot rear transitional yard. These petitions were granted and approved, for all C-3 uses (except for a tavern, bar, or night club), a heating and cooling business, and a fitness center and/or gymnasium.

REZONING

- ◇ This request would rezone 0.65-acre, from the C-S District to the C-S classification to provide for MU-1 and MU-2 uses, a hotel, and event center with live entertainment.
- ◇ “The MU-1 District is intended for the development of high-rise office uses and apartments.” This district is designed for use along arterials, with appropriate settings in “midtown and uptown areas of the city, very near rapid transit stops or in the midst of high intensive regionals commercial complexes.”
- ◇ The MU-2 District accommodates “a mix of residential uses, offices, personal services, retail, and eating and drinking businesses that typically do not draw customers from beyond their neighborhood boundaries and do not generate substantial vehicle traffic.” This district is appropriate for older urban commercial areas that are located adjacent to established residential neighborhoods, along primary and secondary thoroughfares.
- ◇ The Plan recommends village mixed-use for the site, which is a land use category consisting of “development focused on a mixed-use core of small, neighborhood office/retail modes, public and semi-public uses, open space and light industrial development.” This use is “intended to strengthen existing, historically rural, small towns and cities within Indianapolis” as neighborhood gathering places offering a wide range of small businesses, housing types, and public and semi-public facilities.
- ◇ The proposed rezoning would extend the use of the site as a hotel to the two structures, addressed as 6508 and 6512 Westfield Boulevard. According to the petitioner and the site plan, filed dated May 27, 2016, all four structures would remain, with interior renovations for hotel accommodations on 6508 and 6512 Westfield Boulevard for a maximum 25 rooms.

(Continued)

STAFF REPORT 2016-ZON-031 (Continued)

- ◇ The rezoning would also expand uses to include an event center, with live entertainment and food trucks, with the maximum of 100 guests.
- ◇ The Plan identified eight frontage typologies in this area of Broad Ripple. This site lies between the Riverview Corridor and Greenway Corridor typologies. Recommended uses for these typologies are offices, lodging and residential for the Riverview Corridor and retail, personal services, restaurant, tavern, offices, and residential for the Greenway Corridor.
- ◇ The request would primarily be consistent with the recommendation of the Plan as a mixed-use development. Because no new structures are being proposed, the character of the area would be maintained and the activities would have minimal impact on surrounding properties and their commercial uses. Furthermore, the development statement and plan of operation provides limits on activities that minimizes the impact on the area.

DEVELOPMENT STATEMENT / PLAN OF OPERATION

- ◇ The Development Statement, file-dated May 27, 2016, provides for MU-1 and MU-2 uses and identifies the number of hotel rooms in each of the existing structures. It also provides for 37 off-street parking spaces.
- ◇ The Plan of Operation, file-dated May 27, 2016, indicates that live entertainment would occur seven days a week. Sunday through Wednesday live entertainment would cease at 10:00 p.m. and Thursday through Saturday and holidays, music would continue until 11:00 p.m.
- ◇ Food trucks would be permitted, but limited to a maximum of three and only Thursdays through Saturdays, and holidays until 10:00 p.m.
- ◇ The Plan of Operation limits attendees of events to 100 per event.

FLOODWAY FRINGE

- ◇ This site has a secondary zoning classification of a Floodway Fringe (FF), which is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.
- ◇ The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. All uses permitted in the primary zoning district (C-S in this request) are permitted, subject to certain development standards of the Flood Control Districts Zoning Ordinance.

EXISTING ZONING AND LAND USE

C-S Boutique Hotel

(Continued)

STAFF REPORT 2016-ZON-031 (Continued)

SURROUNDING ZONING AND LAND USE

North -	C-S	Commercial uses
South -	C-S	Office uses
East -	C-S	White River (open space)
West -	C-S 1	Monon Trail

COMPREHENSIVE PLAN The Envision Broad Ripple Plan recommends village mixed-use.

THOROUGHFARE PLAN This portion of Westfield Boulevard is designated in the Marion County Thoroughfare Plan as a secondary arterial, with an existing 40-foot right-of-way and proposed 74 -foot right-of-way.

FLOWAY / FLOODWAY FRINGE This site falls within the floodway fringe of White River.

SITE PLAN (Amended) File-dated May 27, 2016

PLAN OF OPERATION File-dated July 6, 2016

DEVELOPMENT STATEMENT Filed-dated July 6, 2016.

ZONING HISTORY

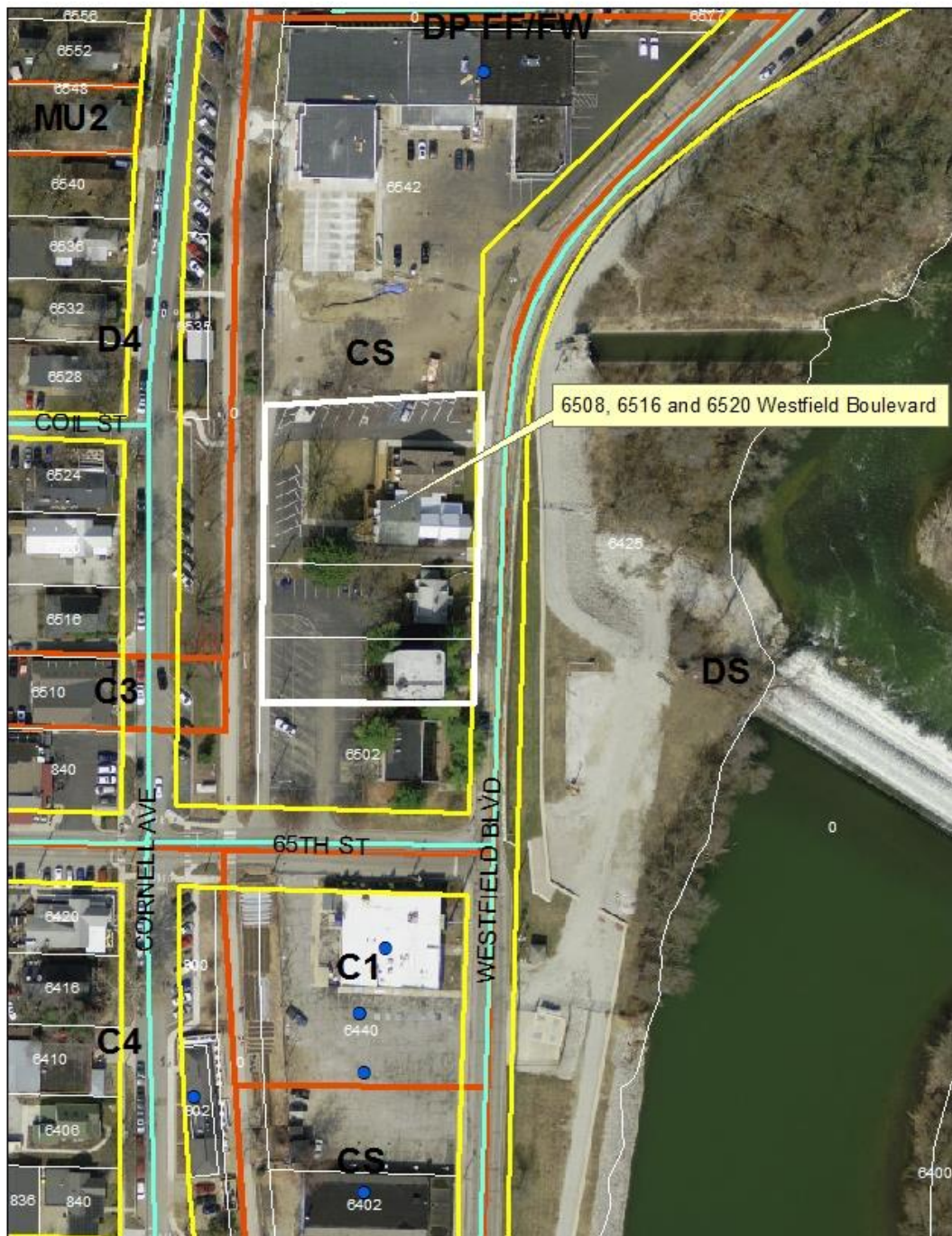
2014-CZN-800 / 2014-CVR-800; 6542 Westfield Boulevard, requested rezoning of 1.6 acres from the C-S (FF) District to the C-S (FF) classification to provide for retail uses, with outdoor seating, and a variance of development standards of the Commercial Zoning Ordinance to provide for a zero-foot rear transitional yard, **granted and approved**.

2010-CZN-830 / 2010-CVR-803; 6520, 6532 and 6534 Westfield Boulevard requested rezoning of 0.55 acre from the C-S District to the C-S classification to provide for a 22-room, 15,896-square foot, 50-foot tall hotel and a variance of development standards of the Commercial Zoning Ordinance to provide for parking with reduced setbacks, maneuvering in the alley, and no loading space, **granted and approved**.

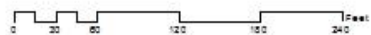
78-AP-74; 6542 Westfield Boulevard, requested approval for an expansion of a wire fencing manufacturer, **approved**.

52-V-26; 6542 Westfield Boulevard, required a variance to provide for the assembly of fencing, **granted**.

kb



6508, 6512 and 6520 Westfield Boulevard



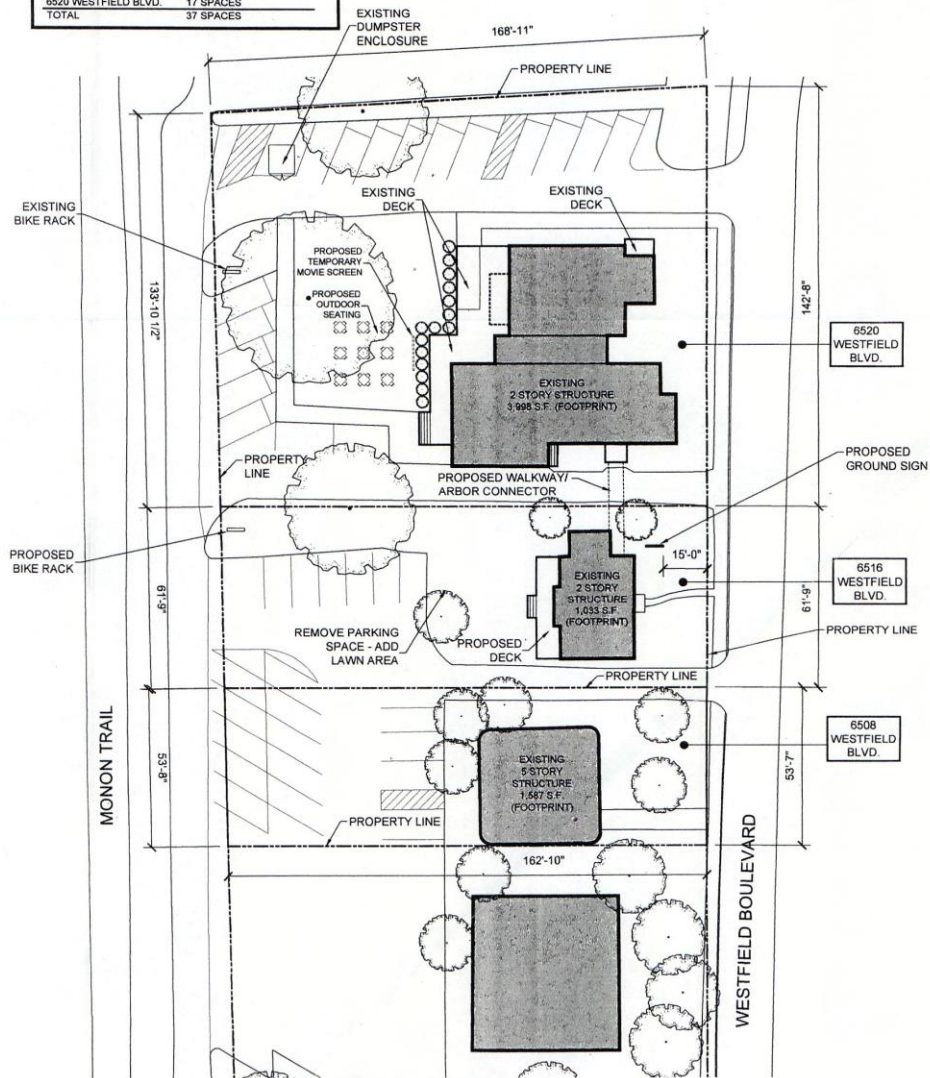
SITE DATA	
LAND AREA	
6508 WESTFIELD BLVD.	8,765 S.F. (0.20 ACRES)
6516 WESTFIELD BLVD.	10,176 S.F. (0.23 ACRES)
6520 WESTFIELD BLVD.	23,107 S.F. (0.53 ACRES)
TOTAL	42,048 S.F. (0.96 ACRES)
EXISTING BUILDING AREA	
6508 WESTFIELD BLVD.	1,587 S.F. (FOOTPRINT)
6516 WESTFIELD BLVD.	1,033 S.F. (FOOTPRINT)
6520 WESTFIELD BLVD.	3,998 S.F. (FOOTPRINT)
TOTAL	6,618 S.F. (FOOTPRINT)
PROPOSED PARKING	
6508 WESTFIELD BLVD.	14 SPACES
6516 WESTFIELD BLVD.	6 SPACES
6520 WESTFIELD BLVD.	17 SPACES
TOTAL	37 SPACES

6508, 6516, 6520
WESTFIELD BOULEVARD
INDIANAPOLIS, IN.
MAY 23, 2016

Metropolitan Development

MAY 27 2016

Division of Planning



PROPOSED SITE PLAN

SCALE: 1" = 30'
0' 15' 30' 60'

SITE ARCHITECTURE
architecture + landscape architecture

PROPOSED

2016-2020-031

ATTACHMENT "C"

Development Statement:

Petitioner seeks approval for Development Plan and Site Plan to allow:

Uses:

1. All MU-1 and MU-2 uses (except for those uses excluded in Attachment "E")
2. Hotel nine (9) rooms existing at 6520 Westfield Boulevard; four (4) rooms proposed in 6516 Westfield Boulevard, and twelve (12) rooms potentially in 6508 Westfield Boulevard for a total of twenty five (25) rooms maximum
3. Event Center with live entertainment (interior and exterior)

Buildings:

Four (4) existing buildings per site plan on file

Parking:

Seventeen (17) off street parking spaces on the 6520 Westfield Boulevard site; with six (6) additional off street parking spaces on the 6516 Westfield Boulevard site; and fourteen (14) off street parking spaces on the 6508 Westfield Boulevard site. One of the parking spaces is set aside as a handicapped parking space.

Signs:

Non illuminated wall signs, ground signs, pylon signs, projecting signs and canopy signs; none exceeding a height of eight (8) feet nor a square footage of fifty four (54) square feet; shall be permitted on the site.

Trash:

Trash dumpster(s) will be enclosed with a dumpster enclosure(s) and located per the site plan on file.

Metropolitan Development

JUL 06 2016

Division of Planning

6/29/16

2016-20N-031

ATTACHMENT "E":

Petitioner commits to exclude the following uses:

1. Assisted living facility
2. Check cashing or validation service
3. Community Center
4. Daycare center
5. Group home
6. Outdoor advertising off premise sign
7. Bar or tavern, as a single use in a building
8. Manufacturing, light
9. Liquor store
10. Nursing home
11. Nursery School
12. Public safety facility
13. Post office
14. Religious use
15. Schools (elementary, middle school or high school)
16. Vocational, technical or industrial school or training facility
17. Animal Care/ Boarding
18. Printing services
19. Utility substation or distribution facility
20. Wireless communications facility
21. Laundromat
22. Automated Teller Machine (exterior and free standing)
23. Any use with a drive through component

Metropolitan Development

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6/29/16

Plan of Operation

Live entertainment on site: Sunday thru Wednesday, until 10 pm; Thursday thru Saturday and holidays until 11 pm.

Birthdays, Weddings, Showers (both wedding and baby), bar mitzvahs , reunions, fundraisers and art showing are the typical events where live entertainment might be utilized.

Outdoor cooking and/or not more than one (1) catering truck; related to one of the events listed above; shall be permitted on site, Thursdays thru Saturdays and holidays until 10 pm

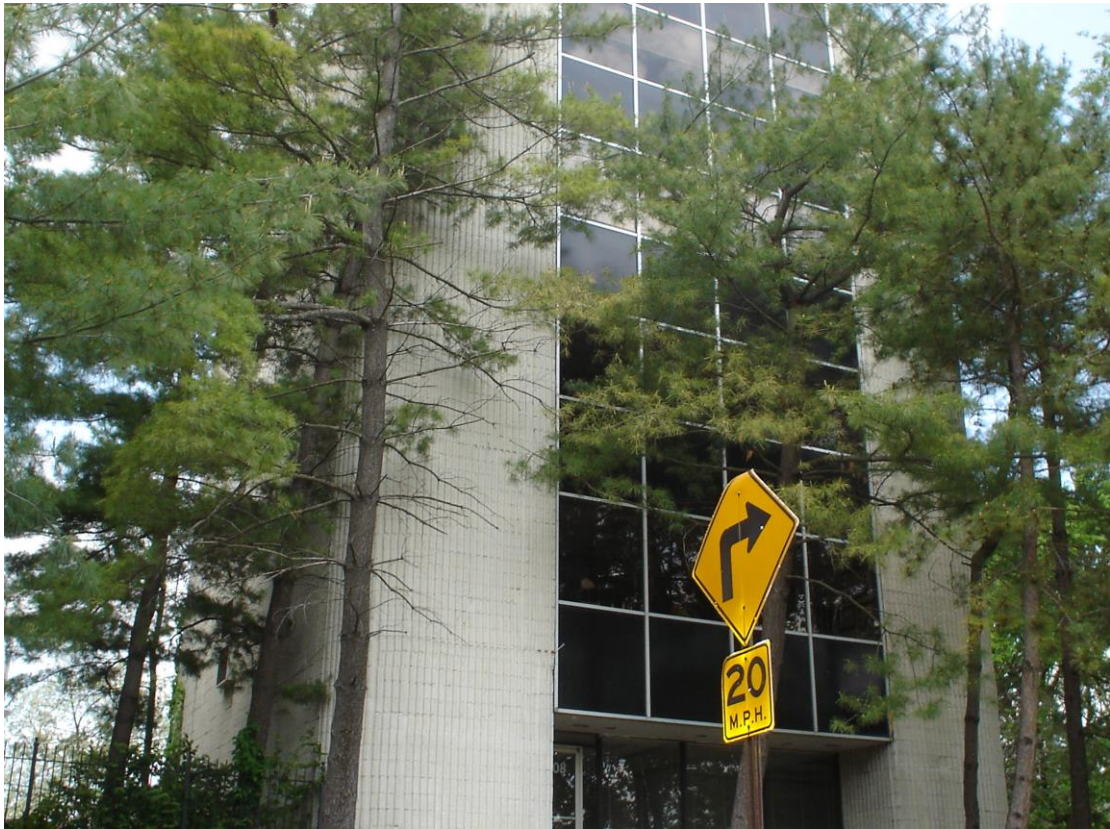
Attendees shall not exceed One hundred (100) per event.

Metropolitan Development

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Division of Planning

6/21/16



View looking west at 6508 Westfield Boulevard



View looking east at rear of 6508 Westfield Boulevard



View looking east at rear of 6508 Westfield Boulevard



View looking northwest at 6516 Westfield Boulevard



View looking east at rear of 6516 Westfield Boulevard



View looking northwest at 6520 Westfield Boulevard



View looking northwest at addition to 6520 Westfield Boulevard



View looking northeast at rear of 6520 Westfield Boulevard



View looking south at rear of 6520 Westfield Boulevard



View from site looking west at the Monon Trail



View from site looking west at the Monon Trail



View from the rear of site looking north



View from site looking at southernmost building of site (not included)



View from site looking north at adjacent uses



View from site looking northeast at adjacent uses



View from site looking east across Westfield Boulevard to White River

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2016-CPL-801 / 2016-CVR-801 (Amended)
Address: 7899 High Drive (*Approximate Address*)
Location: Washington Township, Council District #2
Petitioner: Williams Creek Manor, LLC, by Timothy E. Ochs
Requests: Approval of a Subdivision Plat, to be known as Williams Creek Manor, subdividing 7.12 acres into four lots, with a waiver of sidewalks along the private street.

Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for four lots on a private street (75 feet of frontage on and direct access from a public street required).

This petition was automatically continued from April 28, 2016 to May 26, 2016 by a Registered Neighborhood Organization. It was continued from May 26, 2016 to June 23, 2016 and from June 23, 2016 to July 14, 2016, at the request of the petitioner.

An amended site plan was filed just prior to the publishing of the staff report. The new site plan amended the variance request. In order to give staff and other interested parties time to review the new document, staff is requesting a continuance to the **July 28, 2016** hearing. This will also give the petitioner time to amend the plat document, as required. If the required documents are not submitted by July 14, 2016, staff would request the continuance be to the **August 11, 2016** hearing.

LA

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Petition Number(s): 2016-CZN-810 / 2016-CVR-810
General Location: 6364, 6402 and 6440 Westfield Boulevard (Approximate Address)
Indianapolis
Township: Washington
Council District: 2
Petitioner/Agent: J.C. Hart Company, Inc. by Michael Rabinowitch
Request(s): Rezoning of 1.4 acres from the I-3 (FF) and C-S (FF) districts to the C-S (FF) classification to provide for a mixed-use development, with 136 multi-family dwelling units, C-3 retail and office uses and 163 garage parking spaces.

Variance of development standards of the Commercial Zoning Ordinance to provide for a 75-foot tall mixed-use building,

- a) with an east front setback 33 feet from the centerline of Westfield Boulevard (110-foot setback required or height limited to 35 feet, with minimum setback),
- b) with zero-foot north, west and south side setbacks and zero-foot north and south front setbacks along 64th Street (24-foot side and front setbacks required or height limited to 35 feet, with minimum setback),
- c) with 163 parking spaces (216 parking spaces required),
- d) with zero loading spaces (three loading spaces required), and
- e) with outdoor seating (not permitted).

The Hearing Examiner continued these petitions from the May 12, 2016 hearing, to the July 14, 2016 hearing, at the request of the petitioner to provide time for discussions with the neighborhood organization.

RECOMMENDATIONS

Staff **recommends denial** of the rezoning request.

Staff **recommends denial** of the variance requests.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

(Continued)

STAFF REPORT 2016-CZN-810 / 2016-CVR-810 (Continued)

LAND USE

- ◇ This 1.40-acre site, zoned I-3 (FF) and C-S (FF), is comprised of three parcels that are bisected by East 64th Street. The northern portion of the site is developed with an industrial building and parking. The southern portion of the site is developed with two industrial buildings and pavement. Westfield Boulevard abuts the site along the eastern boundary and the Monon Trail abuts the site along the western boundary. Commercial uses are to the north, zoned C-1; White River is to the east, across Westfield Boulevard, zoned D-S and C-5; mixed-use is to the south, zoned MU-2; and commercial uses to the west, across the Monon Trail, zoned C-4.
- ◇ Historically, the site has served as a distributor of swimming pools since 1959, with structures on both the north and south sides of East 64th Street dating back to 1941.
- ◇ The Plan recommends Neighborhood Village for the site, which is a district “intended to:
 - Preserve and restore existing, traditional and pedestrian scale buildings in established neighborhood commercial districts;
 - Create new commercial nodes that are pedestrian-oriented and provide uses that primarily serve adjacent neighborhood;
 - Promote a balance of retail, service, office, dining and residential uses that serve the adjacent neighborhoods;
 - Alleviate development pressure on existing neighborhood by placing reasonable controls on development and expansion of strip commercial areas within neighborhood;
 - Facilitate safe, attractive and convenient pedestrian circulation and minimize conflicts among bicyclists, pedestrians and motorists;
 - Encourage pedestrian flow through the design of mixed-use buildings with ground floor level retail uses that open directly onto sidewalks adjacent to public streets;
 - Establish building façade lines and sidewalk requirements, and reserve the space between buildings and the street for pedestrian functions;
 - Promote a nodal form of neighborhood commercial development that all uses within the district are within a convenient walking distance of one another and economically sustainable;
 - Foster an increase population density to sustain a fully functional village.

REZONING

- ◇ This request would rezone the site from the I-3 and C-S Districts to the C-S classification to provide for a mixed-use development, with 136 multi-family dwelling units, C-3 retail and office uses, and 163 garage parking spaces. Approximately 1,730 square feet would be utilized for retail/commercial uses, with the remaining square footage dedicated for residential uses. The C-S Statement, file-dated March 31, 2016, will need to be updated to reflect changes that have occurred since the initial filing. See Exhibit “A.” Additionally, the Broad Ripple Village Association has requested commitments, file-dated July 5, 2016. See Exhibit “B.”

(Continued)

STAFF REPORT 2016-CZN-810 / 2016-CVR-810 (Continued)

- ◇ The existing buildings would be demolished and two, 75-foot tall, multi-storied, mixed-use structures would be constructed. The below-grade garage would provide 163 parking spaces.
- ◇ The Envision Plan for Broad Ripple created a vision comprised of nine elements. Density was one of the nine elements, and the Plan suggested that 15-20 dwelling units per acre would be appropriate to preserve and enhance the village “look and feel.” The proposed project would result in approximately 100 units per acre or five times the recommended density.
- ◇ This magnitude of density increase would compromise and negatively impact the established village character of Broad Ripple north of the canal. A less intense mixed-use development would be appropriate for the site and more consistent with this area of the village, which is primarily characterized by one and two-story dwellings that have been converted to commercial uses. The proposed development would introduce an element more consistent with downtown Indianapolis, rather than a neighborhood village.

VARIANCES OF DEVELOPMENT STANDARDS

- ◇ There are five variances of development standards requested for setbacks, parking spaces, loading spaces, and outdoor seating. As proposed, this development covers the site with 75-foot tall buildings, without setbacks that would provide relief in the form of greenspace and openness.
- ◇ In addition to the Ordinance, the Plan for the area identifies a Riverview Corridor typology along Westfield Boulevard and a Greenway Corridor typology along the Monon Trail that provides specific considerations including use, building height, setbacks, access, facades, and parking.

Building Height / Setbacks

- ◇ The first variance would provide for an east front setback 33 feet from the centerline of Westfield Boulevard when a 110-foot setback would be required for the proposed 75-foot tall building. The Riverview Corridor recommends a minimum building height of 40 feet and a maximum height of 100 feet or eight stories, whichever is the lesser, with a minimum 10-foot front setback along Westfield Boulevard. The proposed 75-foot height would be consistent with the typology, but locating the building without appropriate setbacks creates a canyon effect that is incongruous and uninviting for pedestrians.
- ◇ The Greenway Corridor recommends a minimum height of 20 feet and a maximum height of 40 feet or four stories, whichever is the lesser on the trailside frontage, with a minimum setback of 50 feet from the centerline of the Monon Trail. The mass of a 75-foot tall building within 19 feet of the centerline of the Monon Trail would be a major negative impact upon the established character of this corridor and inconsistent with the Plan. In both cases, the amount of sun reaching the adjacent walkways would be severely diminished during certain times of the years.

(Continued)

STAFF REPORT 2016-CZN-810 / 2016-CVR-810 (Continued)

- ◇ The second setback request would provide for zero-foot north, west and south side setbacks and zero-foot setbacks along East 64th Street when the Ordinance requires 24-foot side and front setbacks for the proposed building, or a height limitation of 35 feet, at the minimum required setbacks. Broad Ripple Village is a walkable neighborhood, but the mass of the proposed buildings, without appropriate setbacks creates an environment that is uncomfortable for pedestrians and detrimental to the established village character.

Parking Spaces

- ◇ As proposed, the development would provide 163 parking spaces when the Ordinance requires 216 parking spaces. This would represent an approximately 50% decrease. Parking, or lack thereof, has historically been an issue in the area. The recently constructed parking garage has provided some relief, but it is unlikely that the residents of this primarily residential development would park in the garage, located approximately 1,700 feet away, and walk to their dwelling unit. They would be more likely to park on nearby local streets, thereby contributing to an already difficult situation.

Loading Spaces

- ◇ The original documents filed for this petition indicated zero loading spaces. Since that time, the site plan has been amended and identifies loading spaces within the right-of-way of East 64th Street. Because of the relatively small lots and development pattern within the Broad Ripple area, loading occurs within the right-of-ways in many of the streets. Staff has historically supported variances related to minimal or no loading spaces, but would not support the variance associated with this development because of the intensity it brings into the area.

Outdoor Seating

- ◇ The request would also provide for outdoor seating, which is not permitted by the Ordinance. Because this is an amenity provided throughout the City, staff typically supports this variance because it would be appropriate in a mixed-use development. In this case, however, staff cannot support this variance because it further exacerbates the in density impact of this dense development.

FLOODWAY FRINGE

- ◇ This site has a secondary zoning classification of a Floodway Fringe (FF). The Floodway Fringe (FF) is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.
- ◇ The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. All uses permitted in the primary zoning district (CS in this request) are permitted, subject to certain development standards of the Flood Control Districts Zoning Ordinance.

(Continued)

STAFF REPORT 2016-CZN-810 / 2016-CVR-810 (Continued)

EXISTING ZONING AND LAND USE

C-S / I-3 Commercial swimming pool distributor

SURROUNDING ZONING AND LAND USE

North - C-1 Commercial uses
South - MU-2 Mixed-use
East - D-S/C-5 White River
West - C-4 Monon Trail / Commercial uses

COMPREHENSIVE PLAN The Envision Broad Ripple Plan (2014) recommends neighborhood village.

THOROUGHFARE PLAN This portion of Westfield Boulevard is designated in the Marion County Thoroughfare Plan as a local street, with an existing 40-foot right-of-way and proposed 74-foot right-of-way.

This portion of East 64th Street is designated in the Marion County Thoroughfare Plan as a local street, with an existing 40-foot right-of-way and proposed 48-foot right-of-way

FLOOWAY / FLOODWAY FRINGE This site is located within the floodway or floodway fringe of White River.

SITE PLAN File-dated April 19, 2016

SITE PLAN (AMENDED) File-dated June 30, 2016

ELEVATIONS File-dated April 19, 2016

ELEVATIONS (AMENDED) File-dated June 30, 2016

C-S DEVELOPMENT STATEMENT File-dated March 31, 2016

ZONING HISTORY

2016-ZON-031; 6508, 6516, and 6520 Westfield Boulevard (north of site), requested rezoning of 0.65 acre from the C-S (FF) district to the C-S(FF) classification to provide for MU-1 and MU-2 uses, a hotel, and event center with live entertainment, **pending**.

2014-CZN-800 / 2014-CVR-800; 6542 Westfield Boulevard (north of site), requested rezoning of 1.6 acres from the C-S (FF) District to the C-S (FF) classification to provide for retail uses, with outdoor seating, and a variance of development standards of the Commercial Zoning Ordinance to provide for a zero-foot rear transitional yard, **granted and approved**.

2010-CZN-830 / 2010-CVR-803; 6520, 6532 and 6534 Westfield Boulevard (north of site) requested rezoning of 0.55 acre from the C-S District to the C-S classification to provide for a 22-room, 15,896-square foot, 50-foot tall hotel and a variance of development standards of the Commercial Zoning Ordinance to provide for parking with reduced setbacks, maneuvering in the alley, and no loading space, **granted and approved**.

(Continued)

STAFF REPORT 2016-CZN-810 / 2016-CVR-810 (Continued)

2010-DV1-040; 927 East Westfield Boulevard (south of site), requested variance of development standards to provide for a restaurant with four parking spaces (98 required) and to provide an outdoor seating area with a zero-foot front setback, **granted**.

2007-DV2-008; 6319 Guilford Avenue (west of site), requested a Variance of Development Standards of the Commercial Zoning Ordinance to provide for the expansion of a restaurant and bar use, including 49 additional seats, three employees, and 850-square feet of additional bar area, without additional parking, in C-4 (FF), **granted**.

2004-UV2-017; 916 East Westfield Boulevard (south of site), requested a variance of use and development standards of the Commercial Zoning Ordinance to provide for a three-story, 10,80-square foot mixed-use building, with a maximum of two dwelling units on the third floor, and with a zero-foot front yard setback from the proposed right-of-way of East Westfield Boulevard, and with eight off-street parking spaces (minimum forty-four required), and with a twelve-foot wide interior access drive, **granted**.

2004-DV3-020; 1011 East Westfield Boulevard (south of site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for a 2,708.34-square foot restaurant, and a 2,08.34-square foot cyber café in a two-story, 5,416.68-square foot commercial structure, with three off-street parking spaces (forty required), **granted**.

2003-HOV-038; 6345 Guilford Avenue (west of site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for a convenience sort with one on-premise parking space (minimum five parking spaces required), **granted**.

2002-DV2-002; 916 Westfield Boulevard (south of site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for nine off-street parking spaces (24 required), **granted**.

2002-HOV-008; 902 Westfield Boulevard (south of site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for 18 off-street parking spaces (30 required), **granted**.

2000-DV1-039; 6311 North Guilford Avenue (west of site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for a restaurant, with zero off-street parking spaces (26 required), **granted**.

98-HOV-62; 902 Westfield Boulevard (south of site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for a 32 by 50-foot addition to a commercial building, with a four-foot front yard setback, and eighteen parking spaces (25 required), **granted**.

86-HOV-72; 919 and 925 Westfield Boulevard (south of site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for an outdoor eating area for an existing restaurant without sufficient off-street parking, **granted**.

(Continued)

STAFF REPORT 2016-CZN-810 / 2016-CVR-810 (Continued)

86-HOV-63; 6319 Guilford Avenue (west of site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for a sidewalk cafe without the required front yard, **granted**.

85-HOV-113; 929 Westfield Boulevard (west of site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for the construction of a covered deck to be used for 32 outdoor restaurant seats, without sufficient on-site parking, with the deck being within the required front yard setback, **granted**.

85-HOV-40; 6311 Guilford Avenue (west of site), requested a variance of development standards to provide for a sidewalk café within the front setback and without sufficient on-site parking, **granted**.

85-HOV-31; 6331 Guilford Avenue (west of site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for the use of a sidewalk café within the required front yard and without adequate on-site parking, **granted**.

85-V1-83; 915 Westfield Boulevard (south of site), requested a variance of development standards of the Commercial Zoning Ordinance to legally establish a sidewalk café within the front yard and without the required on-site parking, **granted**.

kb

EXHIBIT A

Rogers Pool Property Redevelopment

6364, 6402, and 6440 Westfield Boulevard

I. The Site/Existing Development

The site consists of approximately 1.4 acres of real estate located at 6364, 6402, and 6440 Westfield Boulevard, Indianapolis, IN. The site sits at the southwest and northwest corners of Westfield Boulevard and 64th Street. This intersection is a three way stop. The site is unique in that it engages the Greenway (Monon Trail) corridor to the west and the Riverview Corridor to the east.

The subject parcels are currently zoned in a mix of zoning classifications—I-3U (6364 Westfield) and C-S (6402 and (partial) 6440 Westfield Blvd.). The 6364 Westfield parcel includes a storage barn with metal siding, a one story wood frame showroom building, and a one story wood frame warehouse building. The 6402 Westfield parcel includes a one story concrete block building and the 6440 Westfield Blvd. parcel is undeveloped, but formerly used as parking.

II. Proposed Mixed Use Development

The Rogers pool site is a planned, mixed use neighborhood village development consisting of retail, multi-family and parking components. The vision is to develop a project design that respects the neighborhood by, among other things, engaging the Monon Greenway and providing unique river view apartment living opportunities. The development will consist of 136 for lease dwelling units with 164 bedrooms, 1,730 square feet of retail space, 1,240 square feet of office (for on-site leasing and property management) and mail room space and 163 garage parking spaces. The floor plate stacking plan is as follows:

Sub Level – Parking

First Level – Parking

Second Level – Apartments

Third Level – Apartments

Fouth Level – Apartments

Fifth Level – Apartments

Sixth Level – Mezzanines and Roof Gardens

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The site is narrow in depth and tapers to the south to a dimension of 89 feet from the right of way of Westfield Boulevard to the face of the existing building line along the trail. The site also contains 3 public sides which will be important in defining the character of the adjacent public realm. To the west, the Monon Greenway frontage will have additional setback from the existing building placement on the site increasing the open space. The owners propose working with the Parks Department to create enhanced public gathering space areas around this 64th Street node of the Trail. This node is currently a busy pedestrian intersection between the trail activity and restaurant and retail uses along Cornell Avenue. The 64th Street right of way will be improved with parallel parking and a 6' wide tree lined concrete walks on each side of the reconstructed roadway. The Westfield Boulevard frontage will provide a 17' wide tree lined concrete walk behind the existing parallel parking.

The six story building will be no more than 75 feet at the building perimeter parapet line. Mezzanine levels may be provided in some units that will allow access to private roof top gardens. A common area roof top garden access will also be provided. An elevated courtyard is positioned over the parking garage facing the Monon Greenway to the west to provide a common amenity space to the residents and to open up the building face to the trail. This courtyard interrupts what would be a long continuous building front into a series of smaller scaled building facades along the Monon Greenway.

The residential levels of the buildings will provide 84 market rate apartment units in the south building and 52 market rate apartment units in the north building ranging in size from 600 square feet to 1,400 square feet. The apartments will provide an open layout concept with large private covered outdoor spaces. The buildings will contain elevator access to all levels. The buildings will park at more than one parking space per bedroom when additional site parallel parking is included in the parking count.

The building floor plates are designed to open up to the unique site context that surrounds all sides of the property. The buildings have two front facades facing the White River and the Monon Trail and when combined together their side elevations establish a new street character for 64th Street between Westfield Boulevard and the Monon Greenway, including provision for a 6' sidewalk along 64th Street and 17' sidewalks along Westfield Blvd. Each building has entry points off of Westfield Boulevard, 64th Street and the Monon Trail frontage.

All units are designed to open up as much as possible to the east or west view corridors; with large outdoor balconies and angled window bay walls that allow residents to look up and down the river and trail instead of just a head on perpendicular view. This design approach expands the living space of each unit into the context and makes living on the river or trail a special experience. From the outside the articulation of the unit wall planes gives a lot of visual movement to the building facades and lets trail and riverfront users see activity on the

projecting balconies and window bays. The building and the greenway corridors each give the sense of being active spaces to one another making the local neighborhoods have a safe 24 – 7 feeling of activity.

It is the intent to use sustainable strategies while developing this project. Reflective white roof areas to reduce heat gain, planted green walls and roof top garden and courtyard areas will be utilized to provide natural elements to outdoor elements of the building. Where applicable renewable and recycled material as well as energy star rated fixtures and appliances will be used. All rooftop-mounted equipment will be properly screened from public view.

III. Permitted Commercial Uses

All uses permitted in the C-3 Neighborhood Commercial District as set out in Chapter 732, Section 732-203 of the Commercial Zoning Ordinance of Marion County, Indiana, adopted August 2, 1993, as amended through the date hereof (the "Ordinance"), EXCEPT the following:

- a. Automobile oil change or lubrication shops;
- b. Check cashing or validation service;
- c. Gasoline service station;
- d. Outdoor advertising signs;
- e. Tattoo parlor;
- f. Bait and tackle shop; and
- g. Pawn shop.

IV. Permitted Residential Uses

Dwelling units as defined in Section 732-217 of the Commercial District Regulations of The Ordinance.

V. Development Standards

Development shall be subject to the following:

1. The improvements shall be located in substantial conformity to the Site Plan file dated March 31, 2016 (the "Site Plan").
2. The improvements shall be constructed in substantial conformity to the Elevations file dated March 31, 2016 (the "Elevations").

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3. The site shall be landscaped in substantial conformity to the landscape detail included as a part of the Site Plan, subject to changes, if any, approved by the Administrator of the Division of Planning and Zoning, Department of Metropolitan Development (the "Administrator").

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Division of Planning

Exhibit B

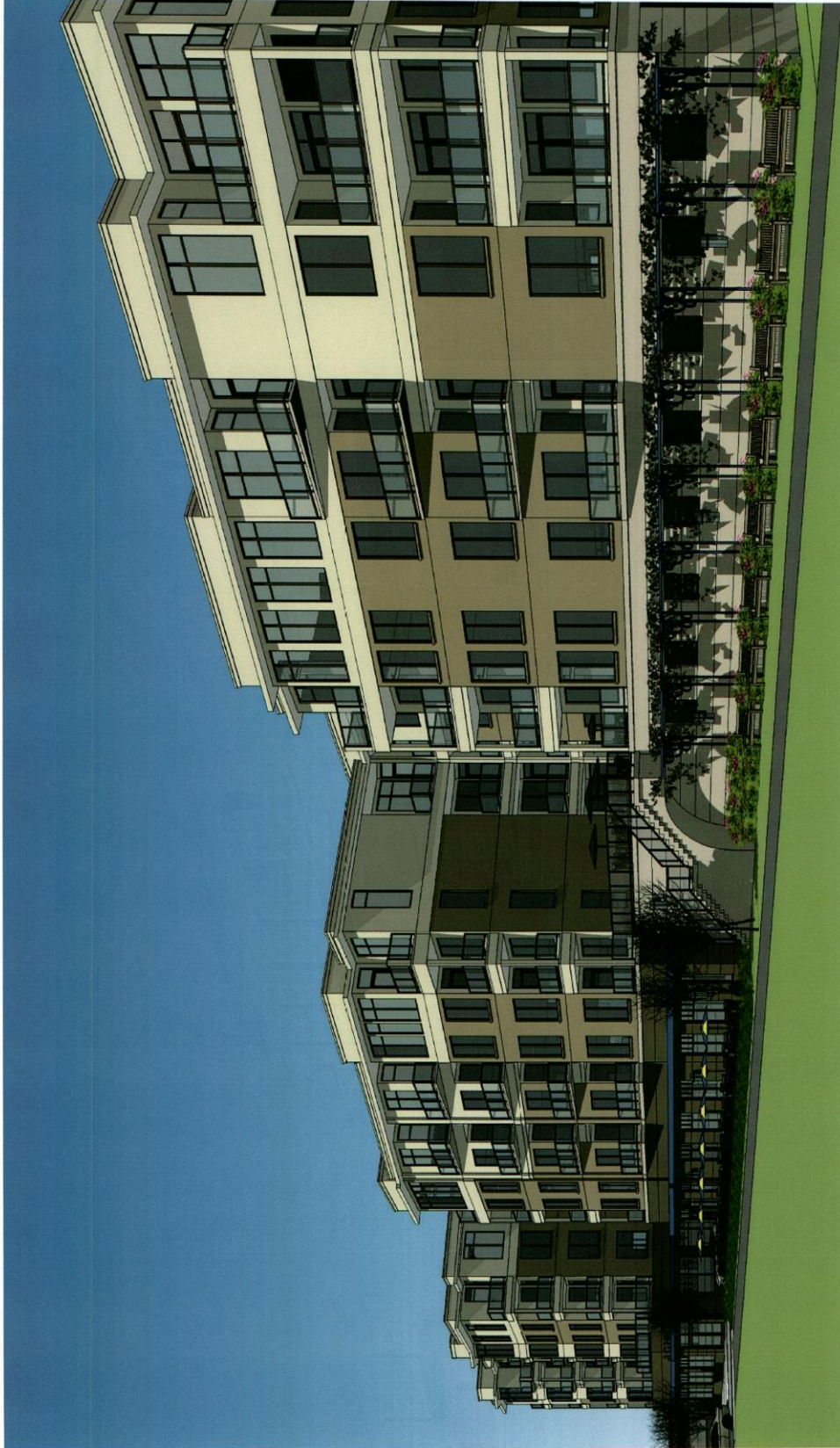
Statement of Commitments

1. Recycling containers (e.g. cans or dumpsters) shall be provided for both the north and south buildings with sufficient capacity for all residential and retail tenants. Recycling containers shall be picked up regularly.
2. Public bicycle racks and bicycle parking shall be provided for both the north and south buildings and located in the areas generally shown on the site plan version dated June 28, 2016.
3. Public seating areas shall be provided adjacent to the Monon Trail in the areas generally shown on the site plan version dated June 28, 2016.
4. Prior to issuance of an Improvement Location Permit, a lighting plan shall be submitted to the BRVA for coordination and comment.
5. Prior to issuance of an Improvement Location Permit, a detailed landscape plan to include specification of size and species of all trees, bushes, flowers, and other plant material shall be submitted to the BRVA for coordination and comment.
6. Prior to issuance of an Improvement Location Permit, a signage plan shall be submitted to the BRVA for coordination and comment.
7. Improvements within the Monon Greenway shall be subject to approval from the Parks Department.

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Revised Massing Study View of Site Looking Northeast on Monon

06/30/2016 Pg. 12

weaver sherman design
architects and land planners

Rogers Pool Site

JCHART
Builders. Developers. Managers.



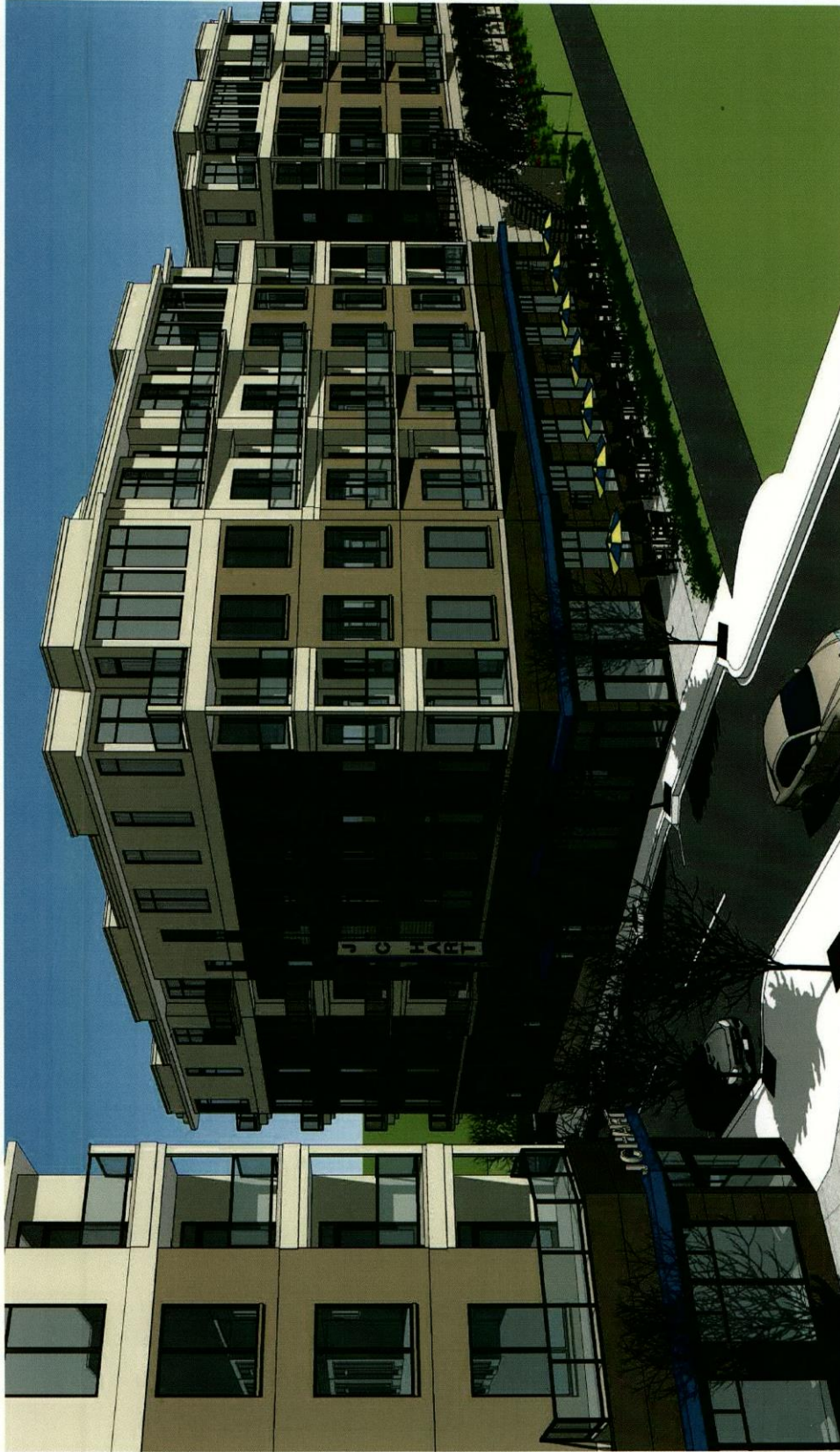
Revised Massing Study View of Site Looking Northeast on Monon

06/30/2016 Pg. 13

weaver sherman design
architects and land planners

Rogers Pool Site





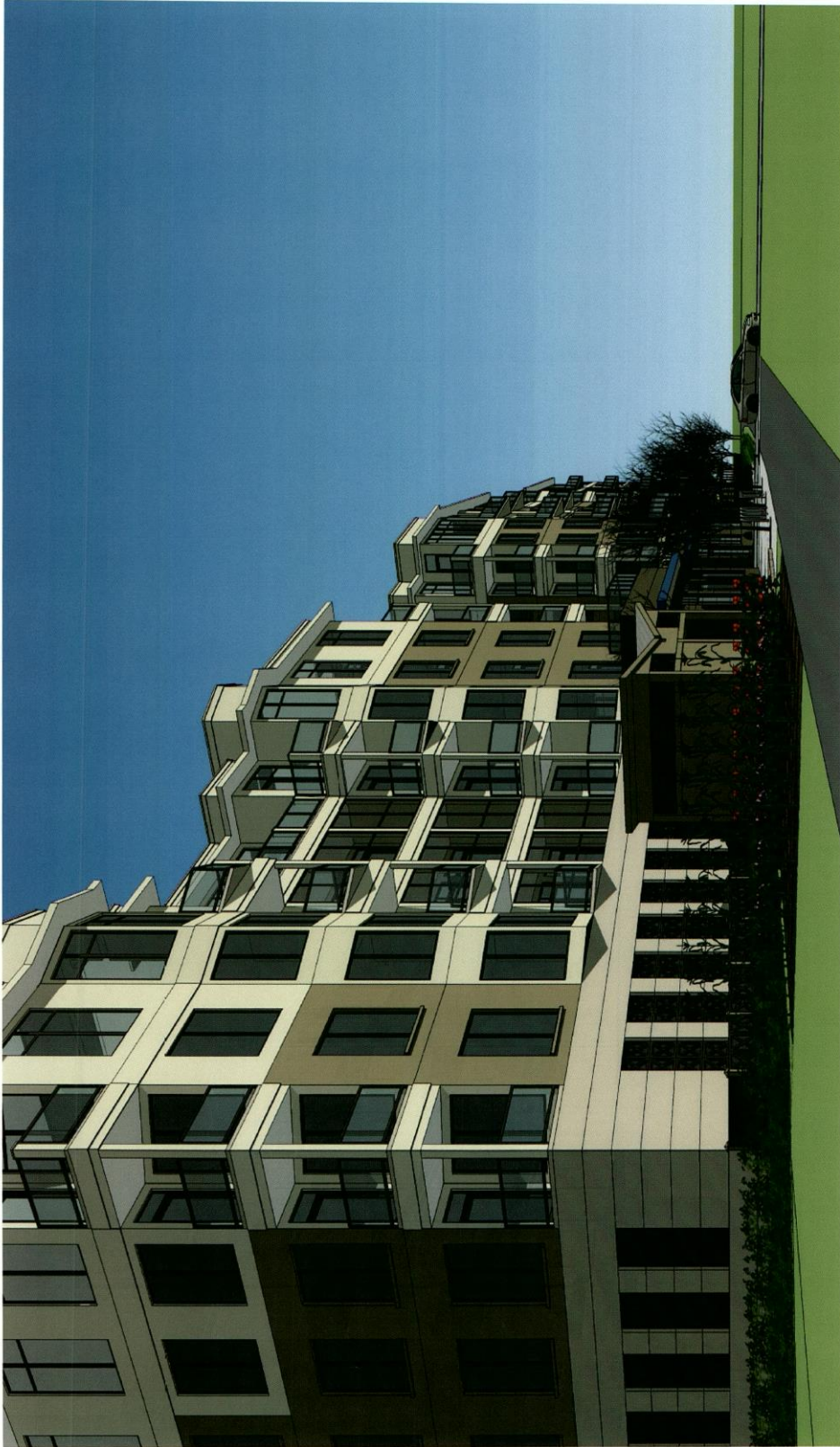
Revised Massing Study View of Site Looking Southeast at 64th Street

06/30/2016 Pg. 15

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Rogers Pool Site

JC HART
Builders Developers Managers



Revised Massing Study View of Site Looking Southeast on Monon

06/30/2016 Pg. 17

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architects and land planners

Rogers Pool Site

JCHART
Builders Developers Managers



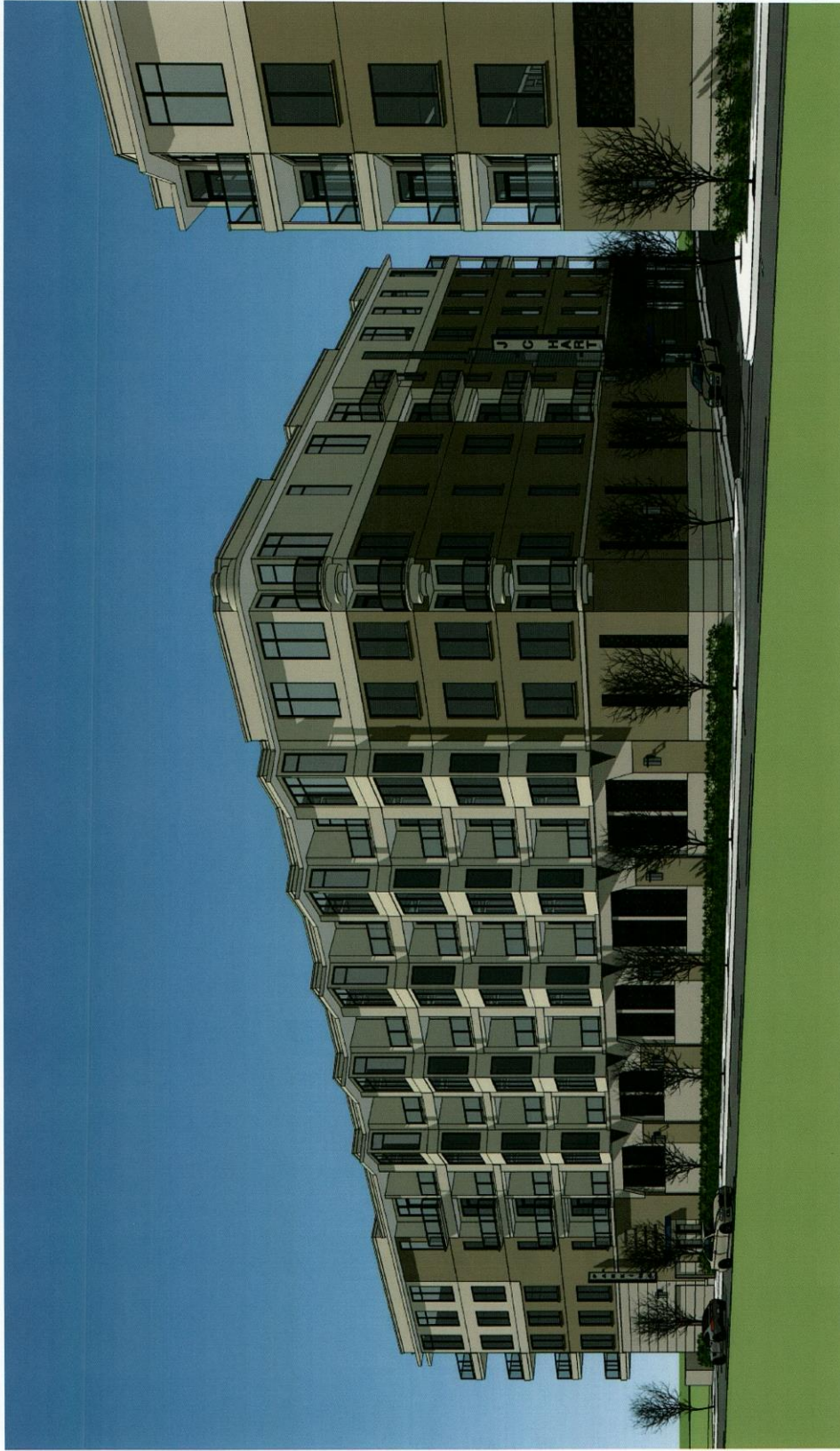
Revised Massing Study View of Site Looking Northwest on Westfield Boulevard

06/30/2016 Pg. 21

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Rogers Pool Site





Revised Massing Study View of Site Looking Southwest at 64th Street

06/30/2016 Pg. 23

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Rogers Pool Site





Revised Massing Study View of Site Looking Southwest on Westfield Boulevard

06/30/2016 Pg. 25

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Rogers Pool Site





View of site looking northwest, across Westfield Boulevard



View looking northwest along site frontage and Westfield Boulevard



View looking west of abutting development to the south of site



View looking west of abutting development to the south of site



View looking south into the rear of the southern portion of the site



View looking northwest at building on the north portion of the site



View looking northeast at building on the north portion of the site



View looking southwest from the northernmost parcel of the site



View looking southeast from the northernmost parcel of the site



View from site looking east towards White River



View from site looking west towards the Monon Trail



View from site looking north at abutting site

STAFF REPORT

**Department of Metropolitan Development
Division of Planning
Current Planning Section**

Petition Number(s): 2016-CZN-813 / 2016-CVR-813
General Location: 3435 and 3451 South Post Road (*approximate address*)
Indianapolis
Township(s): Franklin
Council District(s): 18
Petitioner/Agent: S & S Gas Station, LLC, by Joseph D. Calderon
Request(s): Rezoning of 5.2 acres from the D-A and C-4 districts to the C-7 classification to provide for a tractor-trailer truck stop, with a truck fueling station, truck parking and a truck wash.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 20-foot transitional side yard, without landscaping and without interior parking lot landscaping (40-foot transitional yard with landscaping required, interior parking lot landscaping required).

These petitions were automatically continued from the June 9, 2016 hearing, to the July 14, 2016 hearing. Staff was contacted by a neighborhood organization and indicated they would be requesting a continuance

kb

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2016-CZN-814 / 2016-CVR-814 (Amended)
Address: 2542 North Delaware Street
Location: Center Township, Council District #11
Petitioner: ZMC Properties, Inc., by David Kingen and Justin Kingen
Request: Rezoning of 0.84 acre from the SU-7 district to the D-8 classification to provide for single-family residential uses.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for eight single-family dwellings, with a five-foot front setback (25-foot front setback required), with two-foot side setbacks and 6.5 feet between dwellings (minimum four-foot side setback and 10 feet between buildings required), and with accessory buildings, with two-foot and three-foot side setbacks (minimum four-foot side setbacks required), and to provide for 47% open space (55% open space required).

The Hearing Examiner continued these petitions, at the request of the petitioner, from the June 23, 2016 hearing, to the July 14, 2016 hearing, to provide additional time to amend the variance requests and send new notice.

RECOMMENDATIONS

Staff **recommends approval** of the rezoning request.

Staff **recommends approval** of the variances for the five-foot front setback, 6.5 feet between dwellings, and 47% open space, subject to the submittal of elevations for Administrator's Approval prior to the issuance of an Improvement Location Permit.

Staff **recommends denial** of the variance for the two-foot and three-foot side setbacks for the accessory buildings.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE ISSUES

- ◇ This 0.80-acre site, zoned SU-7, is comprised of eight contiguous undeveloped lots that were originally platted in 1891 as part of the Douglass Park subdivision. It is surrounded by single-family dwellings to the north, east, and west, zoned D-8, and an undeveloped lot to the south, zoned SU-7.

(Continued)

STAFF REPORT 2016-CZN-814 / 2016-CVR-814 (Continued)

- ◇ Petition 76-UV1-52 requested a variance of use and development standards to provide for a youth education and rehabilitation organization with live-in facilities. Nine years later, Petition 85-Z-53 rezoned the site from a D-8 District to an SU-7 classification to provide for narcotics treatment, youth education and rehabilitation. The structure for this service was demolished between 2009 and 2010.

REZONING

- ◇ This request would rezone the site from the SU-7 District to the D-8 classification to provide for single-family residential use. Although the request would not be consistent with the special use recommendation, it would be consistent with the surrounding land use recommendation of medium-density single-family family development at 6-15 units per acre on the west side of North Delaware Street. The Plan's land use recommendation to the east, across North Delaware Street, is low-density single-family development at 3-5 units per acre. Furthermore, prior to the 1985 rezoning, the site was zoned D-8, with historical aerials indicating both multi-family and single-family dwellings.

VARIANCES - DEVELOPMENT STANDARDS

- ◇ This request would provide for eight single-family dwellings, with four variances for development standards of the Residential Zoning Districts. The first variance would provide for a five-foot front setback along North Delaware Street, while the Ordinance requires a 25-foot front setback. Except for the commercial use to the south, only one other dwelling exists to the north along this western portion of the North Delaware Street. The front setback of that dwelling is less than five feet. Staff supports this deviation from the Ordinance because more recent development in the area has reduced setbacks. Consequently, the reduced setback would have minimal impact upon the surrounding properties.
- ◇ The second variance would provide for two-foot side yard setbacks and 6.5 feet between dwellings. The Ordinance requires a minimum four foot side setback and 10 feet between buildings. As proposed, the south façade of each of the dwellings would have a 1.5 by eight-foot bump-out. Otherwise, the south side yard setback would be six feet. The north façade of the dwellings would have a two by 20-foot bump-out, with the remaining 34 feet having a four-foot side setback. Except for the bump-outs, the south and north setbacks would comply with the Ordinance. Similar setbacks existing along Talbott Street to the west where the lot size is similar to these lots. Consequently, staff views the reduced side yard setbacks as a minor deviation, with minimal impact upon the surrounding properties because of similar development patterns in the area.
- ◇ The third variance would provide for 22 by 30-foot accessory buildings, with two and three-foot side setbacks. Staff believes that the accessory buildings should be reduced to a size that would maintain four-foot side yard setbacks, resulting in an increase of open space. Staff does not see a practical difficulty because the lots are vacant, and the accessory structures could easily be reduced, while remaining functional and similar to other surrounding accessory structures and setbacks. See Exhibit A.

(Continued)

STAFF REPORT 2016-CZN-814 / 2016-CVR-814 (Continued)

- ◇ Finally the request would provide for a reduction of open space from the required 55% to 47%. The site plan provides for an enclosed breezeway between the dwelling and the garage. If the accessory buildings would be reduced to 22 by 25 feet, the open space ratio would be increased and would be more consistent with the Ordinance.
- ◇ No elevations were filed with the petitions for review to ensure the style would be consistent with the surrounding neighborhood and maintain the character of the corridor. Elevations, therefore, should be submitted for Administrator's Approval prior to the issuance of an Improvement Location Permit.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

SU-7 Single-family dwelling

SURROUNDING ZONING AND LAND USE

North -	D-8	Single-family dwellings
South -	SU-7	Undeveloped lot
East -	D-8	Single-family dwellings
West -	D-8	Single-family dwellings

COMPREHENSIVE PLAN	The Citizens/King Park Neighborhood Plan (2001) proposes special use.
THOROUGHFARE PLAN	This portion of North Delaware Street is designated in the Marion County Thoroughfare Plan as a primary arterial, with a 65-foot existing right-of-way and a 120-foot proposed right-of-way.
SITE PLAN	File-dated May 19, 2016
SITE PLAN (AMDENDED)	File-dated June 24, 2016
FLOODWAY / FLOODWAY FRINGE	This site is not located within a floodway or floodway fringe.

ZONING HISTORY

85-ZON-53; 2542 North Delaware Street, requested the rezoning from the D-8 District to the SU-7 classification to provide for narcotics treatment, youth education and rehabilitation, **approved**.

76-UV1-52; 2542 North Delaware Street, requested a variance of use and development standards to permit the construction of a youth education and rehabilitation organization with live-in facilities, **granted**.

(Continued)

STAFF REPORT 2016-CZN-814 / 2016-CVR-814 (Continued)

VICINITY

2016-DV1-005; 2541 Talbott Street (west of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a 6.5-foot tall fence and arbor, **granted**.

2006-UV2-019; 125 East Fall Creek Parkway (northwest of site), requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for the construction of a second single-family dwelling on the lot with zero off-street parking spaces, **granted**.

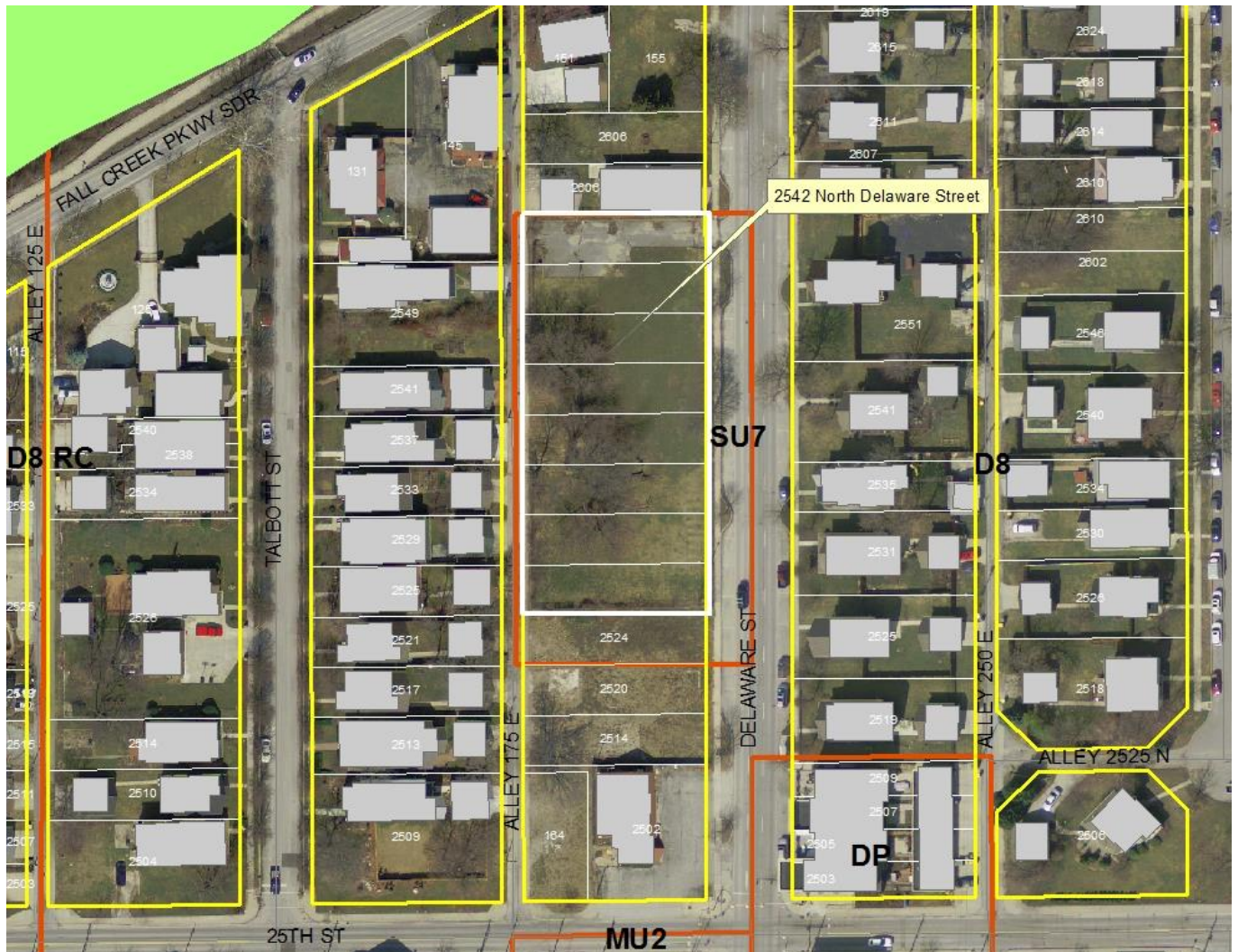
2005-UV2-025; 125 East Fall Creek Parkway South Drive (northwest of site), requested a variance of use and development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 25-foot tall detached accessory structure, consisting of a 962.68-square foot garage on the main floor and a 973-square foot dwelling unit on the upper floor, and resulting in 2,594.22 square feet of accessory structures or 170.67 percent of the main floor area of the primary dwelling, **granted**.

2002-DV1-044; 2459 Talbott Street (west of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a single-family dwelling located 3.97 feet from the right-of-way of 25th Street, **granted**.

2002-DV3-025; 2533 North Pennsylvania Street (west of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a single-family dwelling located 17.5 feet from the right-of-way of Pennsylvania Street, **granted**.

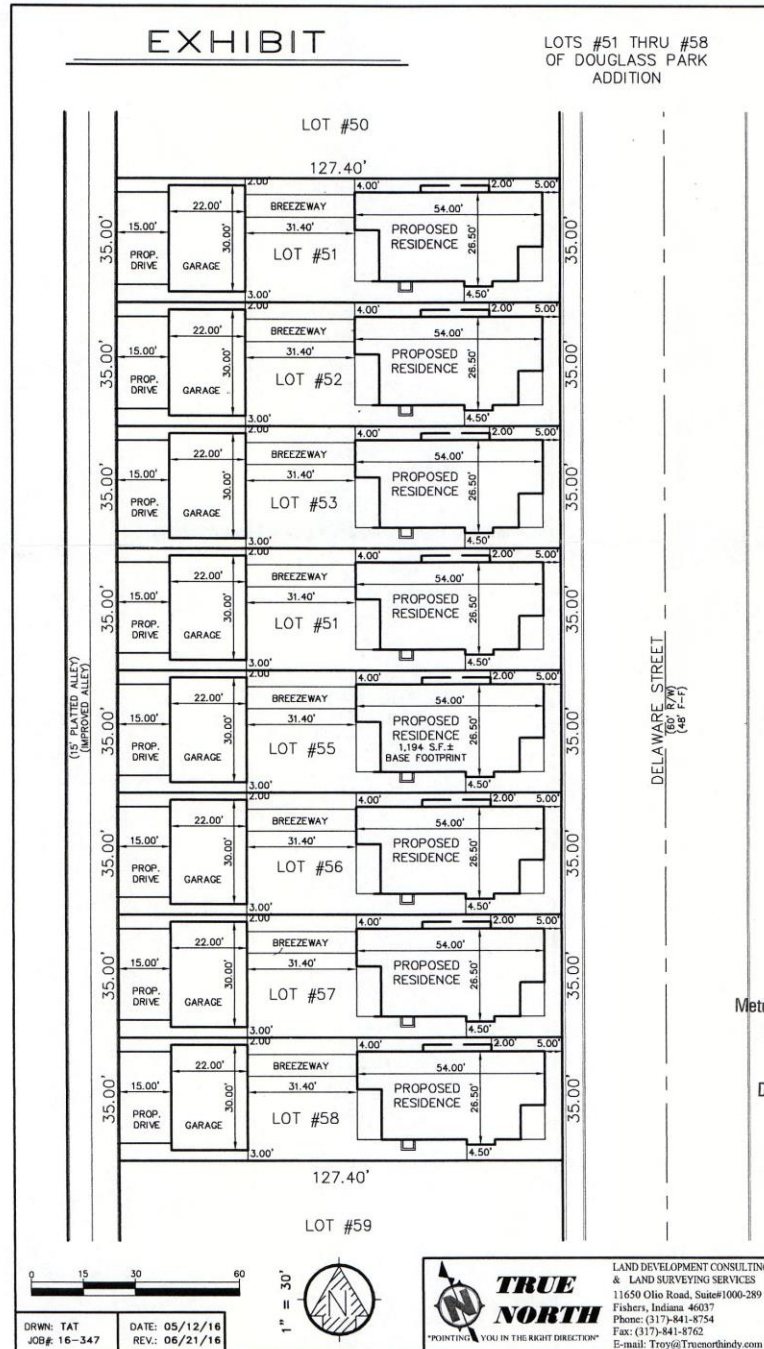
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EXHIBIT A



EXHIBIT

LOTS #51 THRU #58
OF DOUGLASS PARK
ADDITION



Metropolitan Development

JUN 24 2016

Division of Planning

2016-CUR-814



View of site looking northwest, across North Delaware Street



View of site looking northwest, across North Delaware Street



View of site looking northwest, across North Delaware Street



View from northern site looking south



View from site looking east, across North Delaware Street



View from site looking east, across North Delaware Street



View from site looking east, across North Delaware Street



View from site looking east, across North Delaware Street



View looking southeast at commercial development to the south of site



View looking east at commercial development to the south of site

STAFF REPORT

Department of Metropolitan Development Division of Planning

Current Planning Section

Case Number: 2016-APP-010
Address: 545 East 19th Street (approximate address)
Location: Center Township, Council District # 11
Zoning: PK-2
Petitioner: Indianapolis Public Schools, by Russell McClure
Request: Park District-Two Approval to provide for four wall signs.

RECOMMENDATIONS

Staff **recommends approval** of this request, subject to the site plan, and building and sign elevations, file-dated May 25, 2016.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE ISSUES

- ◇ This 0.80-acre site, zoned PK-2, is an elementary school campus. The site is surrounded by single-family dwellings to the north and west, zoned PK-2, park/open space to the east, zoned PK-2; and multi-family dwellings and a charitable organization to the south zoned PK-2 and SU-38, respectively. Historical aerials indicate that the building was constructed between 1962 and 1972.

PARK DISTRICT-TWO APPROVAL

- ◇ Land in the PK-1 and PK-2 Districts is subject to the following site and development requirements. In review of the proposed site and development plan, the Commission shall assess whether such site and development plan, proposed uses, buildings and structures shall:
 - a. Be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan;
 - b. Create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the development plan district and with adjacent uses;
 - c. Provide sufficient and adequate multi-modal access, such as parking and loading areas, transit provisions, and bicycle facilities;

(Continued)

STAFF REPORT 2016-APP-010 (Continued)

- d. Integrate a multi-modal transportation network using active and passive traffic control with the existing and planned public streets and interior roads;
- e. Provide adequately for sanitation, drainage and public utilities in a sustainable, low-impact manner;
- f. Allocate adequate sites for all uses proposed - the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan; and
- g. Provide pedestrian accessibility and connectivity, which may be paths, trails, sidewalks, or combination thereof. Pedestrian accessibility to available public transit must be provided. Sidewalks along eligible public streets consisting of the walkway and any curb ramps or blended transitions must be provided. If sidewalks are required to be installed, the Administrator or the Commission must be guided by the provisions of Section 744-304 for the installation of sidewalks.

The Commission may consider and act upon any such proposed use and site and development plan, approve the same in whole or in part, and impose additional development standards, requirements, conditions, or commitments thereon at any public hearing of the Commission.

- ◇ This approval request would provide for four eight by 12-foot wall signs to be installed on each of the four building facades. The proposed signs would facilitate an easy and agreeable communication between the school and the community, while being integrated and harmonious with the building, site, and surrounding neighborhood.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

PK-2	School campus
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SURROUNDING ZONING AND LAND USE

North -	PK-2	Single-family dwellings
South -	PK-2 / SU-38	Community Center
East -	PK-2	Martin Luther King Jr. Memorial Park
West -	PK-2	Multi-family dwellings.

COMPREHENSIVE PLAN	The Citizens/King Park Neighborhood Plan (2001) proposes special use.
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(Continued)

STAFF REPORT 2016-APP-010 (Continued)

THOROUGHFARE PLAN	<p>This portion of East 19th Street is designated in the Marion County Thoroughfare Plan as a local street, with a 60-foot existing right-of-way and a 64 -foot proposed right-of-way.</p> <p>This portion of Ruckle Street is designated in the Marion County Thoroughfare Plan as a local street, with a 60-foot existing right-of-way and a 64 -foot proposed right-of-way.</p>
SITE PLAN	File-dated May 25, 2016
BUILDING ELEVATIONS	File-dated May 25, 2016
SIGN ELEVATIONS	File-dated May 25, 2016

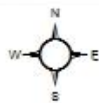
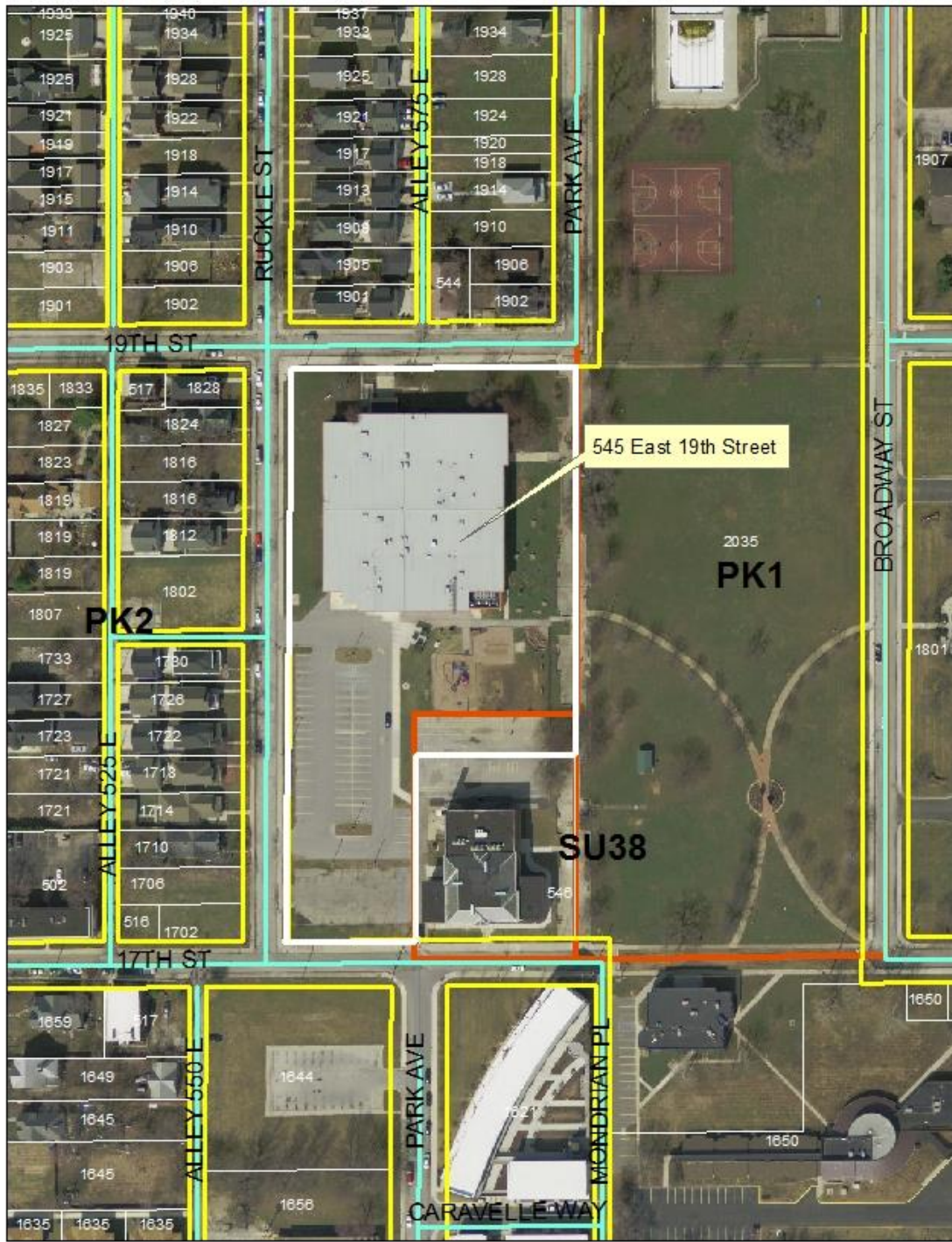
ZONING HISTORY

94-AP-82; 545 East 19th Street, requested Park district Two approval to provide for the installation of an elevator for an existing public school, **approved**.

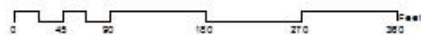
VICINITY

2001-ZON-048; 546 East 17th Street (south of site), requested rezoning of 0.68 acre from the PK-2 District, to the SU-38 classification to provide for a multi-service center, **approved**.

kb



545 East 19th Street





Scale: 1/2"=1'

Metropolitan Development

MAY 25 2016

Division of Planning



South façade of building looking north



West façade of building looking northeast



North façade of building looking south



East façade of building looking west

STAFF REPORT

Department of Metropolitan Development Division of Planning

Current Planning Section

Case Number: 2016-APP-011
Address: 4600 Sunset Avenue
Location: Washington Township, Council District #7
Zoning: UQ-1
Petitioner: Butler University, by Murray Clark
Request: University Quarter One Approval to provide for a 60-foot tall residence hall, a reconfigured parking lot, with administrative approval of the final parking layout, ground / monument signs and wall signs.

RECOMMENDATIONS

Staff **recommends approval** of this request, subject to submittal of final site and landscaping plans and sign elevations for Administrator's Approval prior to the issuance of an Improvement Location Permit and Sign Permit.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE ISSUES

- ◇ This 5.82-acre site, zoned UQ-1, developed with a university residence hall and associated parking. The site is surrounded by university-related facilities, all zoned UQ-1.

UNIVERSITY QUARTER-TWO APPROVAL

- ◇ Land in the UQ-1 and UQ-2 Districts is subject to the following site and development requirements. In review of the proposed site and development plan, the Commission shall assess whether such site and development plan, proposed uses, buildings and structures shall:
 - a. Be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan;
 - b. Create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the development plan district and with adjacent uses;
 - c. Provide sufficient and adequate multi-modal access, such as parking and loading areas, transit provisions, and bicycle facilities;

(Continued)

STAFF REPORT 2016-APP-011 (Continued)

- d. Integrate a multi-modal transportation network using active and passive traffic control with the existing and planned public streets and interior roads;
- e. Provide adequately for sanitation, drainage and public utilities in a sustainable, low-impact manner;
- f. Allocate adequate sites for all uses proposed - the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan; and
- g. Provide pedestrian accessibility and connectivity, which may be paths, trails, sidewalks, or combination thereof. Pedestrian accessibility to available public transit must be provided. Sidewalks along eligible public streets consisting of the walkway and any curb ramps or blended transitions must be provided. If sidewalks are required to be installed, the Administrator or the Commission must be guided by the provisions of Section 744-304 for the installation of sidewalks.

The Commission may consider and act upon any such proposed use and site and development plan, approve the same in whole or in part, and impose additional development standards, requirements, conditions, or commitments thereon at any public hearing of the Commission.

- ◇ The request would provide for a 60-foot tall residence hall and a reconfigured parking lot. The project would consist of two phases, with phase one being demolition of the existing building (Schwitzer Hall) and construction of a new residence hall for approximately 660 students. The exterior materials would include field and accent brick, metal panels on the taller portion of the building, and Indiana limestone and accent stone.
- ◇ As proposed, the new residence hall would reflect and blend in with the existing structures and more recent architecture, with respect to fenestration, exterior materials, articulation, and general design.
- ◇ Phase Two would include a new parking lot layout, north of and associated with the proposed residence hall and adjacent buildings. This phase would also include a ground / monument sign and wall signs that would require Administrator's Approval, prior to the issuance of a Sign Permit.
- ◇ Two conceptual site plans were filed because a final decision has not been made on whether the existing power sub-station, north of the proposed residence hall, would be relocated. Consequently, final plans for the parking lot would be required to be submitted for Administrator's Approval, prior to the issuance of an Improvement Location Permit.

(Continued)

STAFF REPORT 2016-APP-011 (Continued)

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

UQ-1 Residence hall

SURROUNDING ZONING AND LAND USE

North - UQ-1 University facilities
South - UQ-1 Fraternal organizations
East - UQ-1 University facilities
West - UQ-1 University facilities

COMPREHENSIVE PLAN The Butler Tarkington Plan (1985) proposes public/institutional use.

THOROUGHFARE PLAN This portion of Hampton Drive is designated in the Marion County Thoroughfare Plan as a collector street, with a 140-foot existing right-of-way and a 70-foot proposed right-of-way.

PARKING PLANS (2) File-dated June 8, 2016

SITE PLAN File-dated June 8, 2016

ELEVATIONS File-dated June 8, 2016

LANDSCAPE PLANS File-dated June 8, 2016

LIGHTING PLAN File-dated June 8, 2016

FLOODWAY / FLOODWAY FRINGE This site is not located within a floodway or floodway fringe.

ZONING HISTORY

2012-APP-010; 4600 Sunset Avenue, requested University Quarter One Approval to provide for a 2,637-square foot expansion to a dining hall, including general site modifications, **approved**.

99-AP-167; 4600 Sunset Avenue, requested UQ-q approval to provide for a 40,000-square foot, three-story classroom building with new parking areas and a freestanding sign, **approved**.

98-AP-141; 4602 Sunset Avenue (east of site), requested University Quarter-one Approval to provide for a 5,500-square foot addition to the Atherton Center, **approved**.

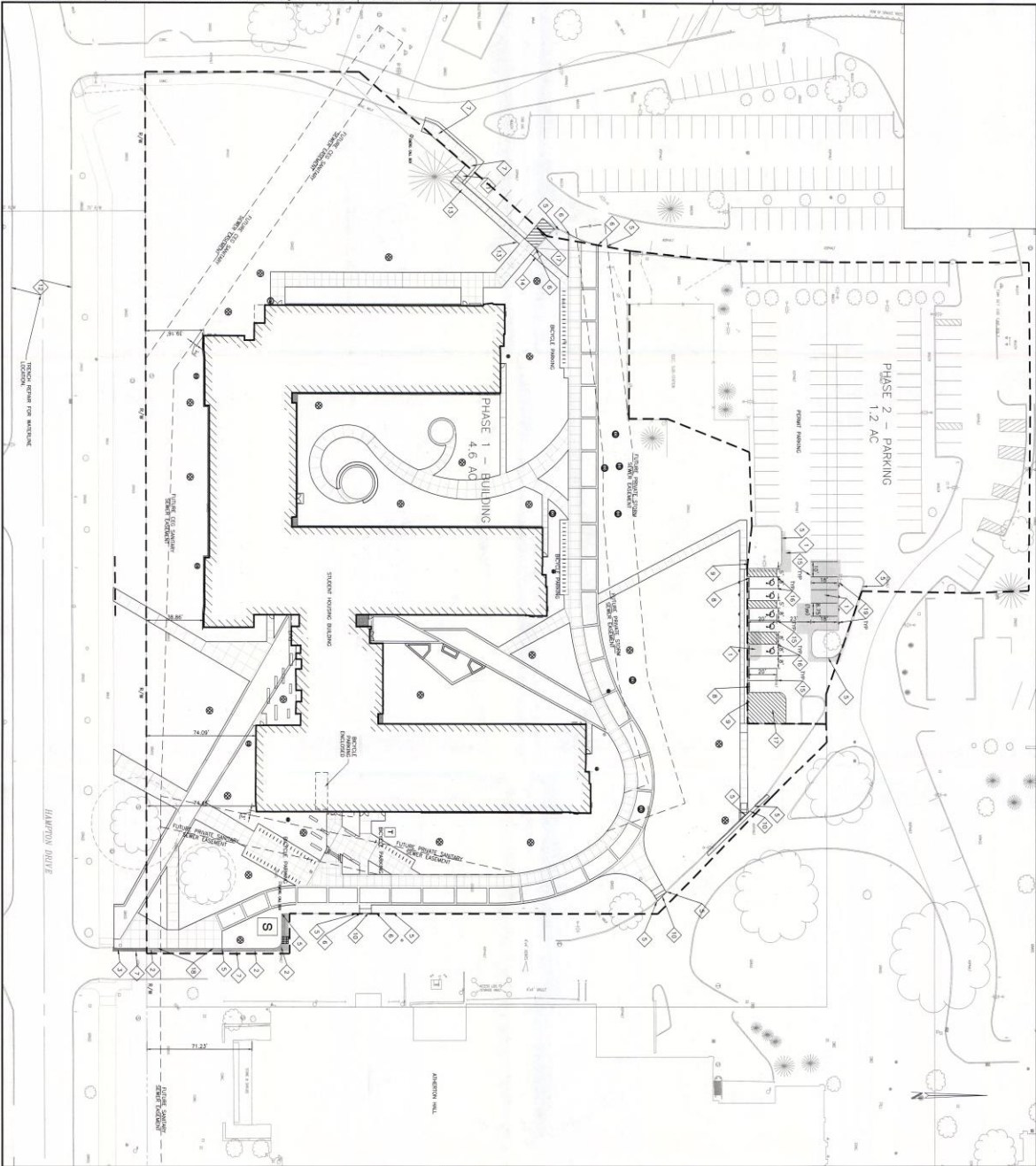
(Continued)

STAFF REPORT 2016-APP-011 (Continued)

98-CP-19V / 98-CP-19AP; 4602 Sunset Avenue (east of site), requested a variance of use and University Quarter-One approval of the Special Districts Zoning Ordinance to provide for the construction of a telecommunications facility on the roof of Clowes Hall on the campus of Butler University, **approved**.

83-AP-188; 840 West Hampton Drive, requested approval for the construction fo two tennis courts on the Butler University campus, **approved**.

kb



SITE PLAN LEGEND

PROPERTY LINE
EXISTING LINE
RIGHT-OF-WAY
PROJECT LIMITS

SITE WORK GENERAL NOTES AND SPECIFICATIONS

1. THE CONSTRUCTION SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RESPECTIVE CITY, COUNTY AND STATE AGENCIES PRIOR TO CONSTRUCTION.

2. EXISTING UTILITIES LOCATIONS ARE PROVIDED BY THE CONVEYOR. THE ENGINEER HAS FIELD VERIFIED THE LOCATIONS AND DEPTHS OF THE UTILITIES AND HAS NOTED ANY DISCREPANCIES TO THE CONVEYOR'S RECORD DRAWINGS. THE ENGINEER HAS ADVISED THE CONVEYOR OF ANY DISCREPANCIES.

3. THE ENGINEER HAS FIELD VERIFIED THE LOCATIONS AND DEPTHS OF THE UTILITIES AND HAS NOTED ANY DISCREPANCIES TO THE CONVEYOR'S RECORD DRAWINGS. THE ENGINEER HAS ADVISED THE CONVEYOR OF ANY DISCREPANCIES.

4. THE ENGINEER HAS FIELD VERIFIED THE LOCATIONS AND DEPTHS OF THE UTILITIES AND HAS NOTED ANY DISCREPANCIES TO THE CONVEYOR'S RECORD DRAWINGS. THE ENGINEER HAS ADVISED THE CONVEYOR OF ANY DISCREPANCIES.

5. THE ENGINEER HAS FIELD VERIFIED THE LOCATIONS AND DEPTHS OF THE UTILITIES AND HAS NOTED ANY DISCREPANCIES TO THE CONVEYOR'S RECORD DRAWINGS. THE ENGINEER HAS ADVISED THE CONVEYOR OF ANY DISCREPANCIES.

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7. THE ENGINEER HAS FIELD VERIFIED THE LOCATIONS AND DEPTHS OF THE UTILITIES AND HAS NOTED ANY DISCREPANCIES TO THE CONVEYOR'S RECORD DRAWINGS. THE ENGINEER HAS ADVISED THE CONVEYOR OF ANY DISCREPANCIES.

8. THE ENGINEER HAS FIELD VERIFIED THE LOCATIONS AND DEPTHS OF THE UTILITIES AND HAS NOTED ANY DISCREPANCIES TO THE CONVEYOR'S RECORD DRAWINGS. THE ENGINEER HAS ADVISED THE CONVEYOR OF ANY DISCREPANCIES.

9. THE ENGINEER HAS FIELD VERIFIED THE LOCATIONS AND DEPTHS OF THE UTILITIES AND HAS NOTED ANY DISCREPANCIES TO THE CONVEYOR'S RECORD DRAWINGS. THE ENGINEER HAS ADVISED THE CONVEYOR OF ANY DISCREPANCIES.

10. THE ENGINEER HAS FIELD VERIFIED THE LOCATIONS AND DEPTHS OF THE UTILITIES AND HAS NOTED ANY DISCREPANCIES TO THE CONVEYOR'S RECORD DRAWINGS. THE ENGINEER HAS ADVISED THE CONVEYOR OF ANY DISCREPANCIES.

SITE PLAN NOTES

1. ALL NEW AND EXISTING CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE CITY OF INDIANAPOLIS ZONING ORDINANCES AND THE CITY OF INDIANAPOLIS DEPARTMENT OF PUBLIC WORKS AND ENGINEERING.

2. ALL EXISTING UTILITIES SHALL BE FIELD VERIFIED AND SHOWN ON THE RECORD DRAWINGS.

3. ALL EXISTING UTILITIES SHALL BE FIELD VERIFIED AND SHOWN ON THE RECORD DRAWINGS.

4. ALL EXISTING UTILITIES SHALL BE FIELD VERIFIED AND SHOWN ON THE RECORD DRAWINGS.

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8. ALL EXISTING UTILITIES SHALL BE FIELD VERIFIED AND SHOWN ON THE RECORD DRAWINGS.

9. ALL EXISTING UTILITIES SHALL BE FIELD VERIFIED AND SHOWN ON THE RECORD DRAWINGS.

10. ALL EXISTING UTILITIES SHALL BE FIELD VERIFIED AND SHOWN ON THE RECORD DRAWINGS.

KEYNOTE LEGEND

UNSATURATED SITE PLAN TO INCLUDE PAVING, CURB, GUTTER, PARKING, AND OTHER NECESSARY DEVELOPMENT OF PLAN

EXISTING PAVEMENT SURFACE
NEW PAVEMENT SURFACE
NEW PAVEMENT SURFACE
NEW PAVEMENT SURFACE
NEW PAVEMENT SURFACE
NEW PAVEMENT SURFACE
NEW PAVEMENT SURFACE
NEW PAVEMENT SURFACE
NEW PAVEMENT SURFACE
NEW PAVEMENT SURFACE

SITE PLAN

STUDENT HOUSING BUILDING #2
BUTLER UNIVERSITY
750 W Hamilton Dr
Indianapolis, IN 46208

PRINTER SET

CONTRACT DOCUMENTS

DATE: 05-27-13

PROJECT: C201

DATE: 05-27-13

CRIPe

3939 PRIORITY WAY SOUTH DRIVE, SUITE 200
INDIANAPOLIS, INDIANA 46240
(317) 844-6777 FAX (317) 706-6451
E-MAIL: crip@crife.com

ARCHITECTURE & ENGINEERING

CRIPe

CRIPe

CRIPe

CRIPe

CRIPe

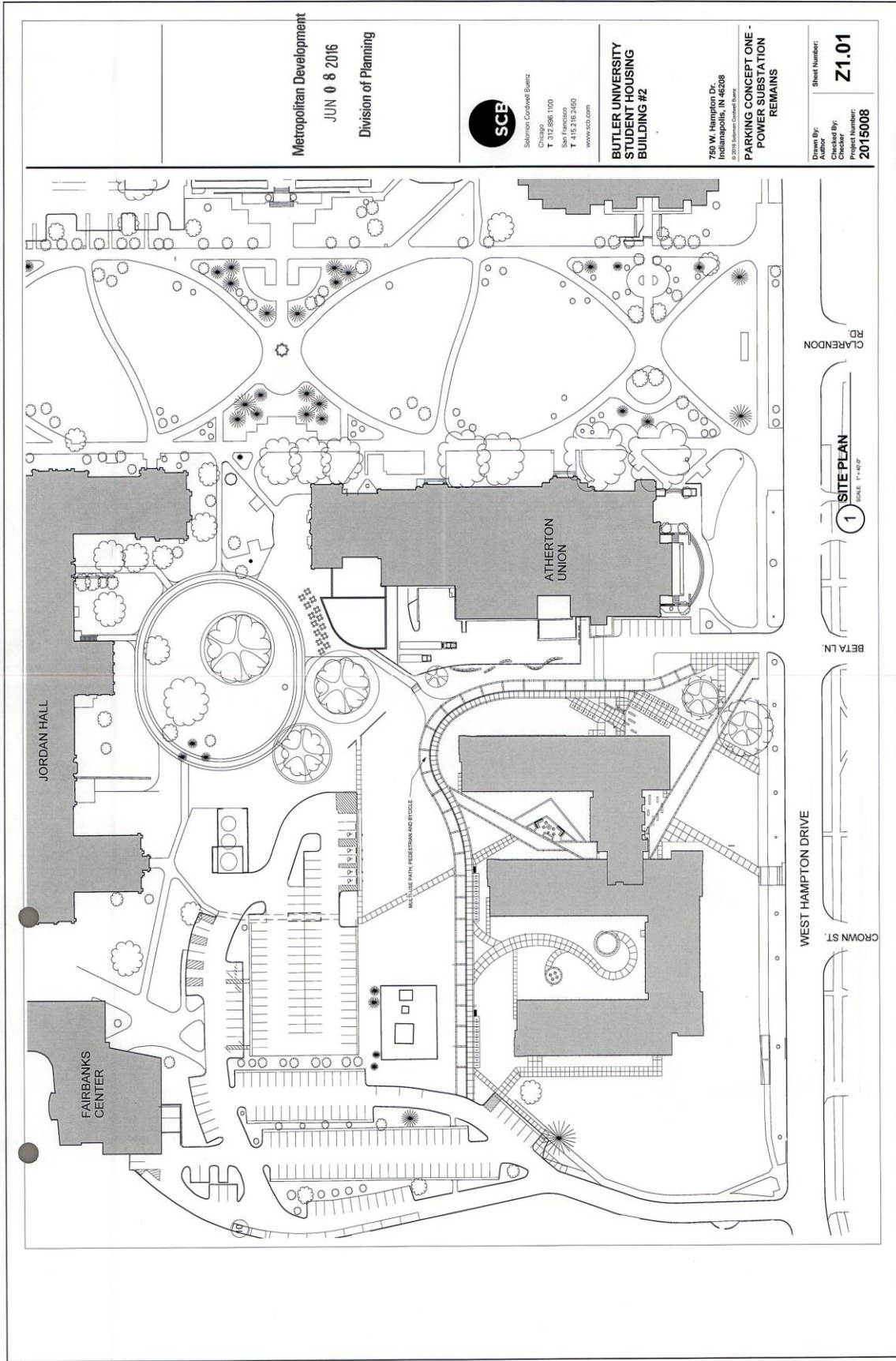
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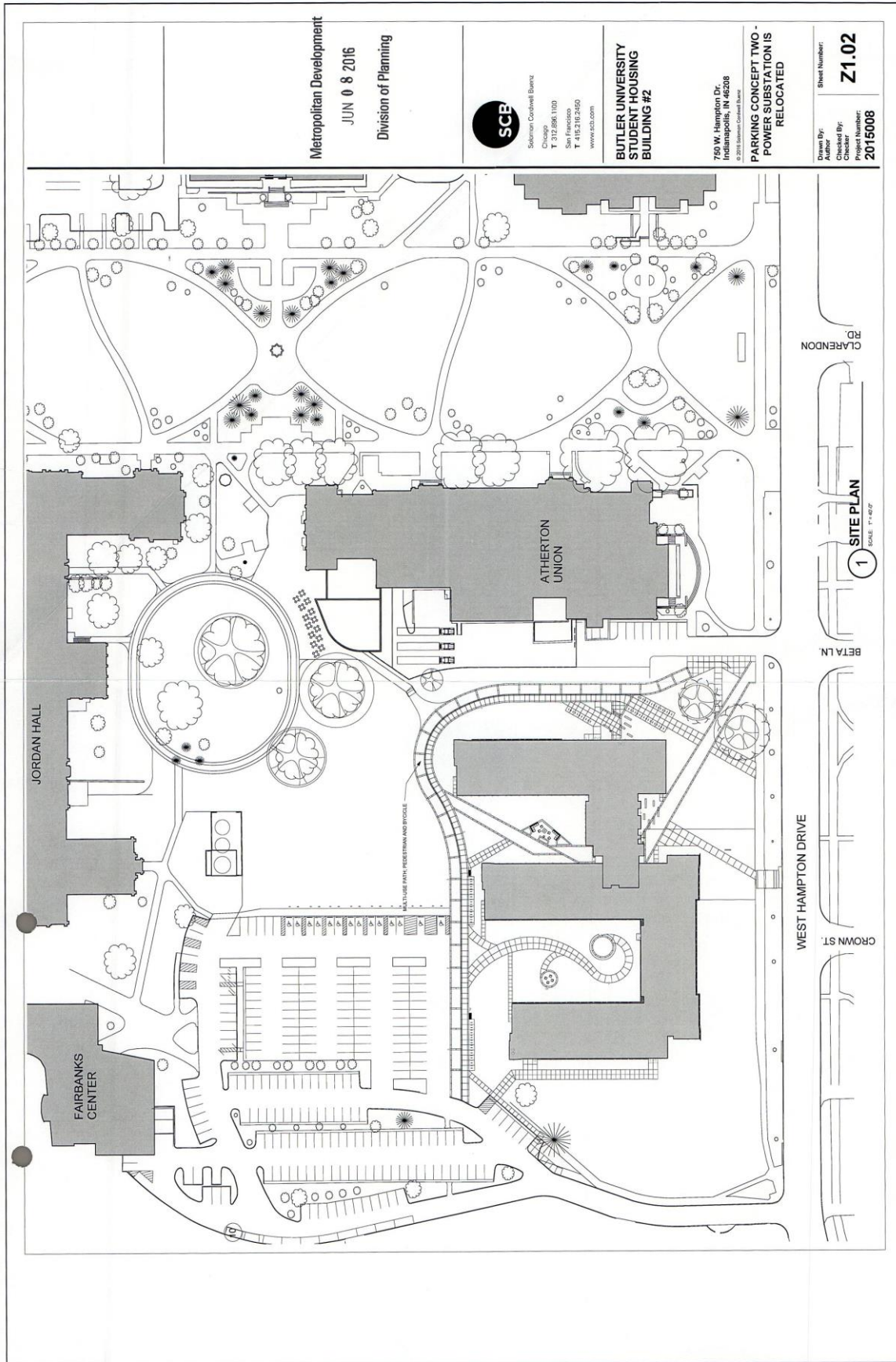
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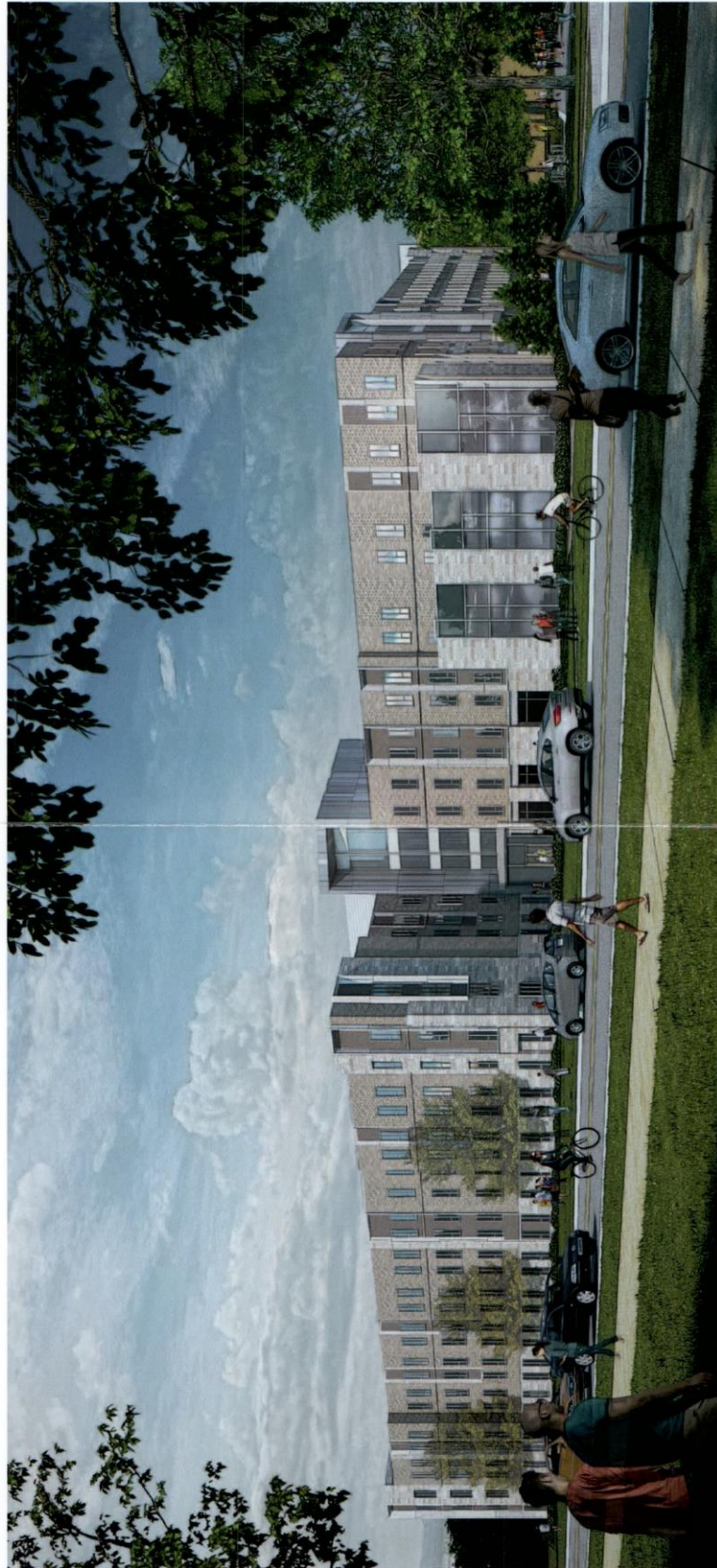




Metropolitan Development

JUN 08 2016

Division of Planning



PROJECT NAME: BUTLER UNIVERSITY STUDENT HOUSING

DATE: 6/7/2016

PROJECT NO: 2015008

REV.: _____

DTL/SHT. REF.: _____

DRAWING TITLE: SOUTH EAST PERSPECTIVE

SHEET _____

of _____

Architecture Planning Interior Design

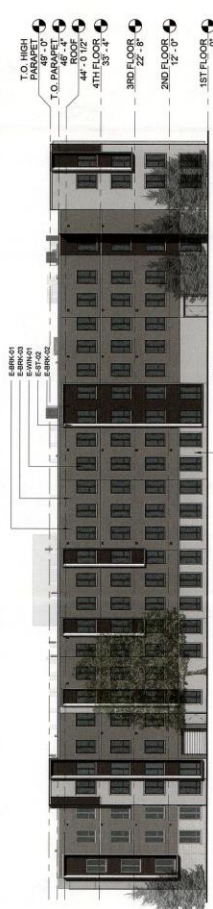
625 N. Michigan Ave. Chicago, IL 60611

T 312.896.1100 F 312.896.1200

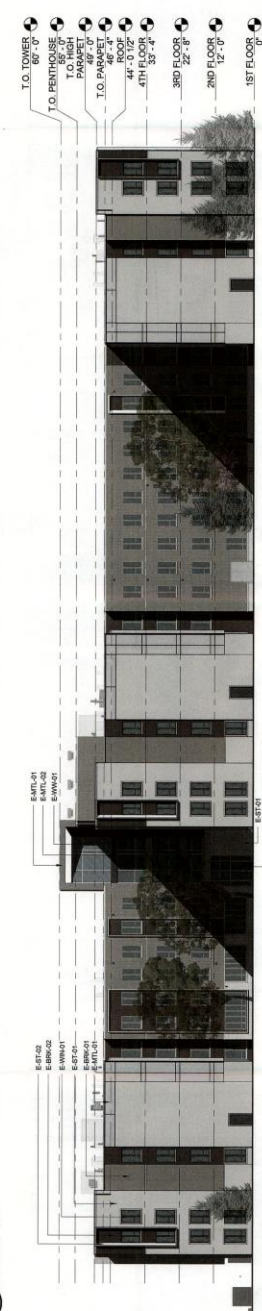
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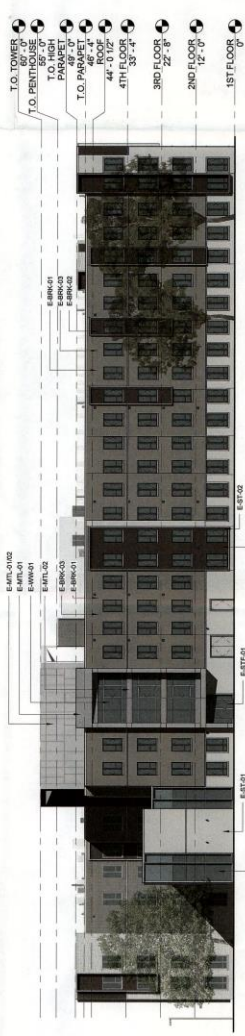
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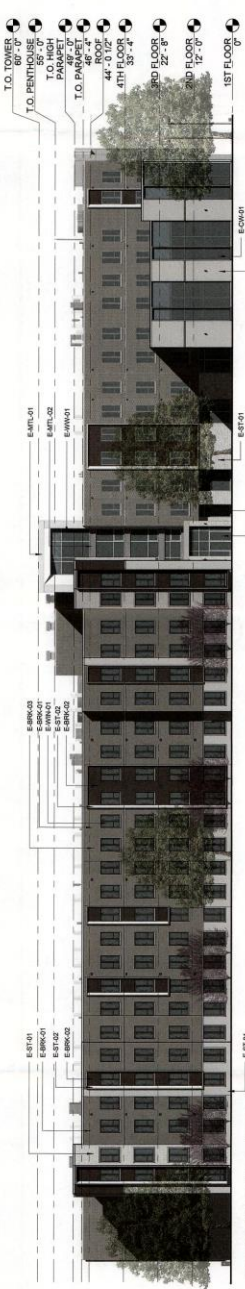
4 WEST ELEVATION
SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

EXTERIOR FINISH LEGEND	
MATERIAL CODE	DESCRIPTION
BRICK	
E-INT-01	FIELD BRICK
E-INT-02	ACCENT BRICK
E-INT-03	ACCENT BRICK
METAL	
E-INT-04	METAL PANEL
E-INT-05	METAL PANEL
STONE	
E-INT-06	IRVING LAMESTONE
E-INT-07	ACCENT STONE
WINDOW SYSTEMS	
E-INT-08	FRAMED GLASS WINDOW
E-INT-09	FRAMED GLASS WINDOW
E-INT-10	FRAMED GLASS WINDOW
E-INT-11	FRAMED GLASS WINDOW
E-INT-12	FRAMED GLASS WINDOW
E-INT-13	FRAMED GLASS WINDOW
E-INT-14	FRAMED GLASS WINDOW
E-INT-15	FRAMED GLASS WINDOW
E-INT-16	FRAMED GLASS WINDOW
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E-INT-99	FRAMED GLASS WINDOW
E-INT-100	FRAMED GLASS WINDOW



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BUTLER UNIVERSITY STUDENT HOUSING BUILDING #2

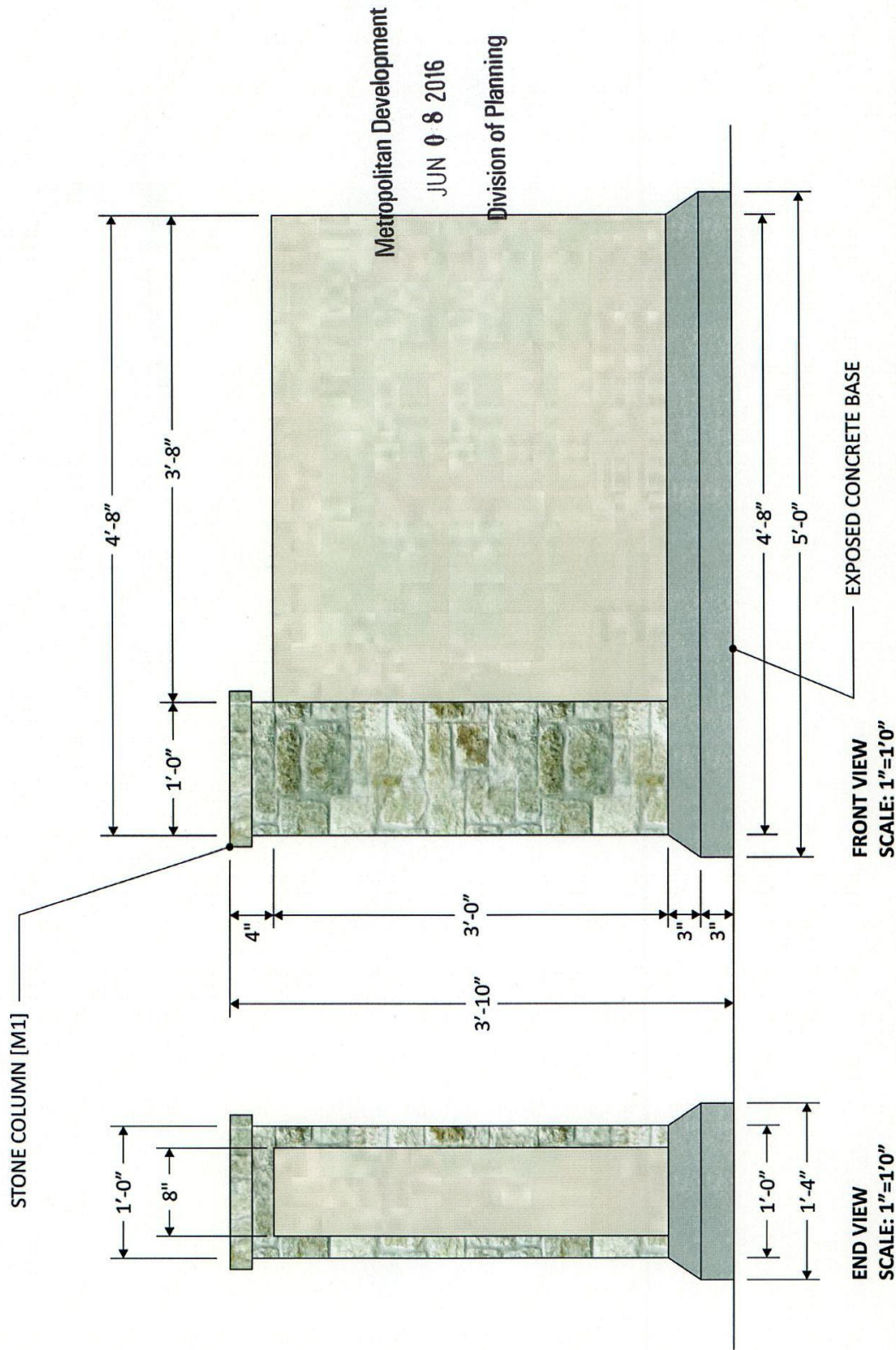
Metropolitan Development
JUN 8 8 2018
Division of Planning
750 W. Hampton Dr.
Indianapolis, IN 46208
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BUILDING ELEVATIONS

Drawn By: [Name]
Author: [Name]
Checked By: [Name]
Project Number: 2015008
Sheet Number: A3.00

PROPOSED PHASE 2 RESIDENCE HALL GROUND SIGN

SIGN AREA: 3'-8" X 3' = 11.01 SQ. FT.



SIGN TEXT TO BE DETERMINED UPON NAMING OF FACILITY



View of existing residence hall looking northeast, across West Hampton Drive



View of entrance to existing residence hall looking north



View looking south at parking area and rear of existing residence hall



View looking west at parking area north of existing residence hall



View of parking lot looking northwest



View looking southwest at parking lot and power substation



View looking south at power substation



View looking southeast, across West Hampton Drive at residences

STAFF REPORT

Department of Metropolitan Development Division of Planning

Current Planning Section

Petition Number: 2016-ZON-033
General Location: 5401 West 16th Street (*Approximate Addresses*)
Town of Speedway
Township(s): Wayne
Council District(s): 15
Petitioner/Agent: Roman Catholic Archdiocese of Indianapolis Properties, Inc., by David Kingen and Justin Kingen
Request(s): Rezoning of 0.62 acre, from the D-3 district to the SU-1 classification to provide for religious uses.

RECOMMENDATIONS

Staff **recommends approval** of this request, subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

The existing dwelling and any additions shall maintain a residential appearance, with respect to fenestration, materials and roof pitches. Plans to modify the structure shall be submitted for Administrator's Approval prior to any changes or modifications.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE ISSUES

- ◇ This 0.62-acre site, zoned D-3, is developed with a single-family dwelling, detached garage, and storage trailer. It is surrounded by single-family dwellings to the south and west, zoned D-3; single-family dwellings to the north, zoned D-5; and religious uses to the east, across Biltmore Avenue, zoned SU-1.

REZONING

- ◇ This request would rezone the site from the D-3 District to the SU-1 classification to provide for religious uses.
- ◇ Although, this request would not be consistent with the *Comprehensive Plan*, religious uses are generally considered compatible with residential development if they are designed and developed properly to address issues such as parking, hours of operation, outdoor activities, signs, setbacks, and landscaping.

(Continued)

STAFF REPORT 2016-ZON-033 (Continued)

- ◇ Staff is, however, concerned that this request represents an encroachment into the neighborhood. In an effort to mitigate this impact, the exterior of the dwelling should maintain a residential appearance.
- ◇ Development on the site is on the eastern portion of the lot, with open space on the western portion providing a necessary buffer to the abutting residential property to the west. This buffer should remain as open space as the site becomes integrated with the existing campus.
- ◇ There are two existing access drives. Additional access drives or relocation of the existing drives would not be appropriate because of the impact upon abutting properties to the west and south.

PROCEDURE

- ◇ No site plan was filed with this petition. Prior to this site being developed, final site and landscaping plans, per the Ordinance, are required to be submitted for Administrator's Approval prior to the issuance of an Improvement Location Permit.
- ◇ Elevation plans would also be submitted for Administrator's Approval for any proposed modification to the existing dwelling or detached garage, prior to the issuance of any permit or modification.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

D-3 Single-family dwelling

SURROUNDING ZONING AND LAND USE

North -	D-5	Single-family dwellings
South -	D-3	Single-family dwellings
East -	SU-1	Religious uses
West -	D-3	Single-family dwelling

COMPREHENSIVE PLAN	The Comprehensive Plan for Wayne Township (2007) proposes residential development at over 15 units per acre.
THOROUGHFARE PLAN	<p>This portion of West 16th Street is designated in the Marion County Thoroughfare Plan as a collector street, with a 100-foot existing right-of-way and an 80-foot proposed right-of-way.</p> <p>This portion of Biltmore Avenue is designated in the Marion County Thoroughfare Plans as a local street, with a 70-foot existing right-of-way and a 52-foot proposed right-of-way.</p>
FLOODWAY / FLOODWAY FRINGE	This site is not located within a floodway or floodway fringe.

(Continued)

STAFF REPORT 2016-ZON-033 (Continued)

ZONING HISTORY

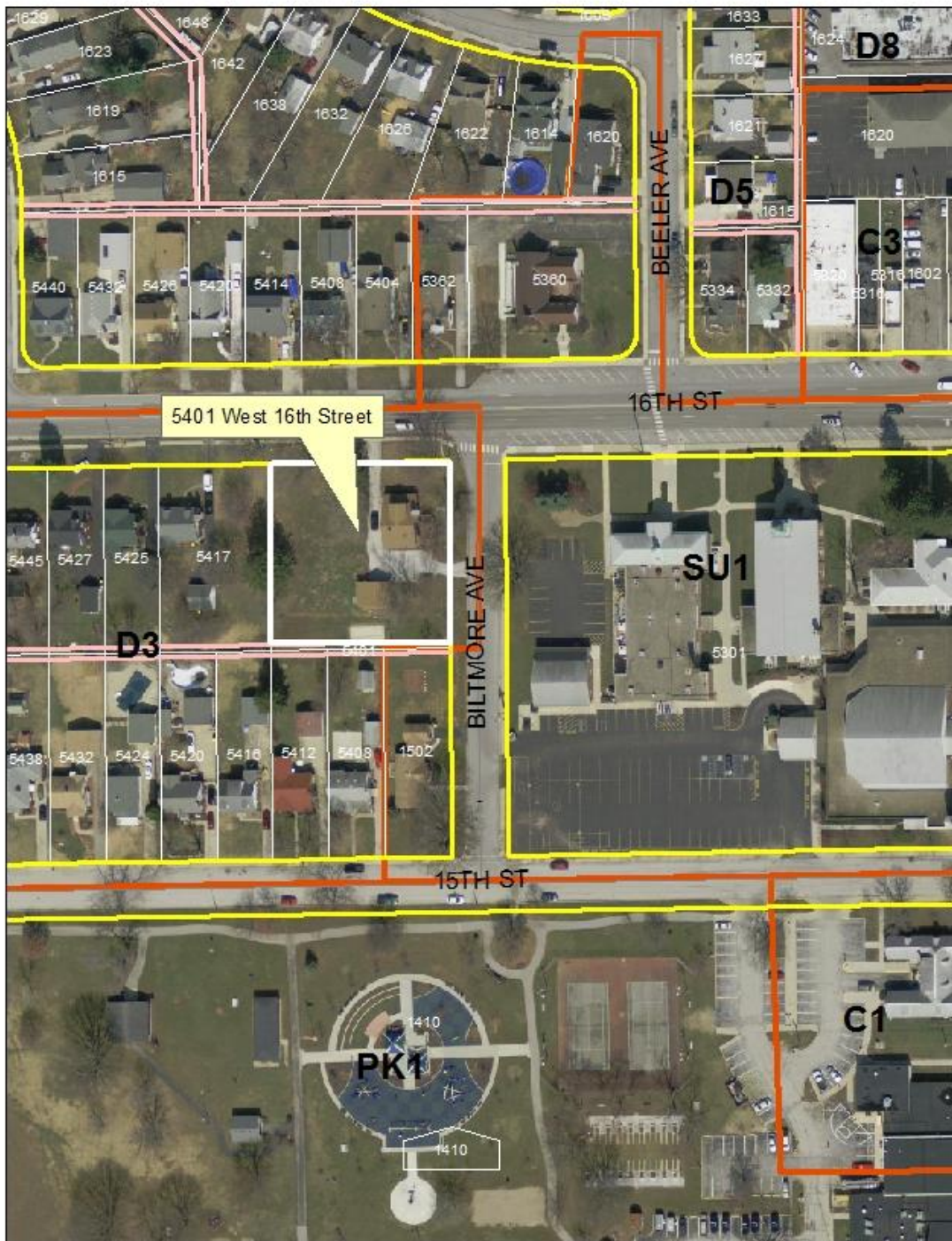
2015-ZON-052; 1502 North Biltmore Avenue (south of site), requested rezoning of 1.26 acre from the D-3 District to the SU-1 classification to provide for religious uses, **approved**.

2011-DVS-002; 5408 West 15th Street (south of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for construction of a 552-square foot detached garage, with reduced setbacks, **granted**.

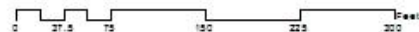
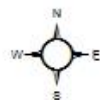
99-Z-12; 5301 West 16th Street (east of site), requested rezoning of 4.9 acres from the C-1 District to the SU-1 classification to provide for the expansion of a church facility, **approved**.

88-SSV-4; 5301 West 16th Street (east of site), requested a variance of the Sign Regulations to provide for a five-foot tall, doubled-sided non-illuminated sign, **granted**.

kb



5401 West 16th Street





View of site looking southwest, across West 16th Street



View of dwelling looking west, across Biltmore Avenue



View of detached garage on site looking west, across Biltmore Avenue



View of southern portion of site looking west, across Biltmore Avenue



View of site looking west from parking lot of church



View looking southwest at abutting dwellings to the south of site



View looking northwest at dwellings to the north, across West 16th Street



View looking southeast, across West 16th Street at parking lot and buildings to the east of site

STAFF REPORT

Department of Metropolitan Development Division of Planning

Current Planning Section

Case Number: 2016-ZON-035
Address: 1660, 1702, 1706, 1710, 1714 and 1718 Bellefontaine Street and 902 East
17th Street (approximate addresses)
Location: Center Township, Council District #17
Petitioner: Kara B. Hieser
Request: Rezoning of 0.95 acre from the D-8 District to the MU-2 classification.

This petition will need to be continued from the July 14, 2016 hearing, to the July 28, 2016 hearing due to the unavailability of the petitioner.

kb

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2016-ZON-036
Address: 5225 West 10th Street (approximate address), Town of Speedway
Location: Wayne Township, Council District #15
Petitioner: Charles L. Hunt
Request: Rezoning of 1.72 acres from the I-2 and C-4 Districts to the C-4 classification.

RECOMMENDATIONS

Staff **recommends approval** of this request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE ISSUES

- ◇ This 1.72-acre site, zoned I-2 and C-4, is developed with a commercial strip center and associated parking. The site is surrounded by commercial uses to the west and east, zoned C-4 and C-3 respectively; industrial uses to the south, zoned I-2; and single-family dwellings to the north across West 10th Street, zoned D-5.
- ◇ Petition 2010-ZON-045 rezoned a small portion of the site to provide for redevelopment of the abutting property to the west.

REZONING

- ◇ This request would rezone the site from the I-2 and C-4 Districts to the C-4 classification to provide for a commercial strip center. According to the Assessor's Office, the commercial structure was constructed in 1967.
- ◇ The request would be generally consistent with the *Comprehensive Plan* recommendation of community commercial development. The community commercial recommendation typically corresponds to the C-3 or C-4 classification, depending on the existing land use context. Because this site has operated commercially since 1967 and the abutting property to the west is zoned C-4, expansion of the C-4 District would be appropriate and supportable. Furthermore, the request would rezone the site from an industrial district to a less intense commercial use.

(Continued)

STAFF REPORT 2016-ZON-036 (Continued)

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

I-2 Commercial strip center

SURROUNDING ZONING AND LAND USE

North -	D-5	Single-family dwellings
South -	I-2	Industrial uses
East -	C-3	Commercial uses
West -	C-4	Commercial uses (gasoline station)

COMPREHENSIVE PLAN The Comprehensive Plan for Wayne Township (2006) proposes community commercial.

THOROUGHFARE PLAN This portion of West 10th Street is designated in the Marion County Thoroughfare Plan as a primary arterial, with a 65-foot existing right-of-way and a 125-foot proposed right-of-way.

This portion of North Lynhurst Drive is designated in the Marion County Thoroughfare Plan as a primary arterial, with a 100-foot existing right-of-way and a 128-foot proposed right-of-way.

FLOODWAY / FLOODWAY FRINGE This site is not located within a floodway or floodway fringe.

ZONING HISTORY

2010-ZON-045; 5225 West 10th Street, requested rezoning of 0.189 acre from the I-2-U District to the C-4 classification to provide for commercial uses, **approved**.

VICINITY

2005-ZON-031; 5219 West 10th Street (east of site), requested rezoning of 0.265 acre, being in the I-2-U District, to the C-3 classification to provide for a coffee shop, **approved**.

2004-DVS-002; 5310 West 10th Street (north of site), requested a variance of development standards of the Commercial Zoning Ordinance for a reduced transitional yard setback, **granted**.

2002-ZON-135; 5302-5328 West 10th Street (west of site), requested rezoning of 1.4 acres, being in the D-2 and C-3 Districts, to the C-3 classification to provide for a gasoline station/convenience store, **approved**.

2002-DVS-005; 1000 North Lynhurst Drive (north of site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for gasoline station/convenience store and ground sign, with reduced setback, **granted**.

(Continued)

STAFF REPORT 2016-ZON-036 (Continued)

96-UV1-74; 5301-5341 West 10th Street (west of site), requested a variance of use and development standards of the Commercial Zoning Ordinance to legally establish an existing tavern and liquor store, with entertainment, outdoor seating, outdoor recreational equipment, with reduced separation from a protected district, and with reduced setbacks and landscaping, **approved.**

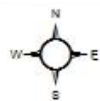
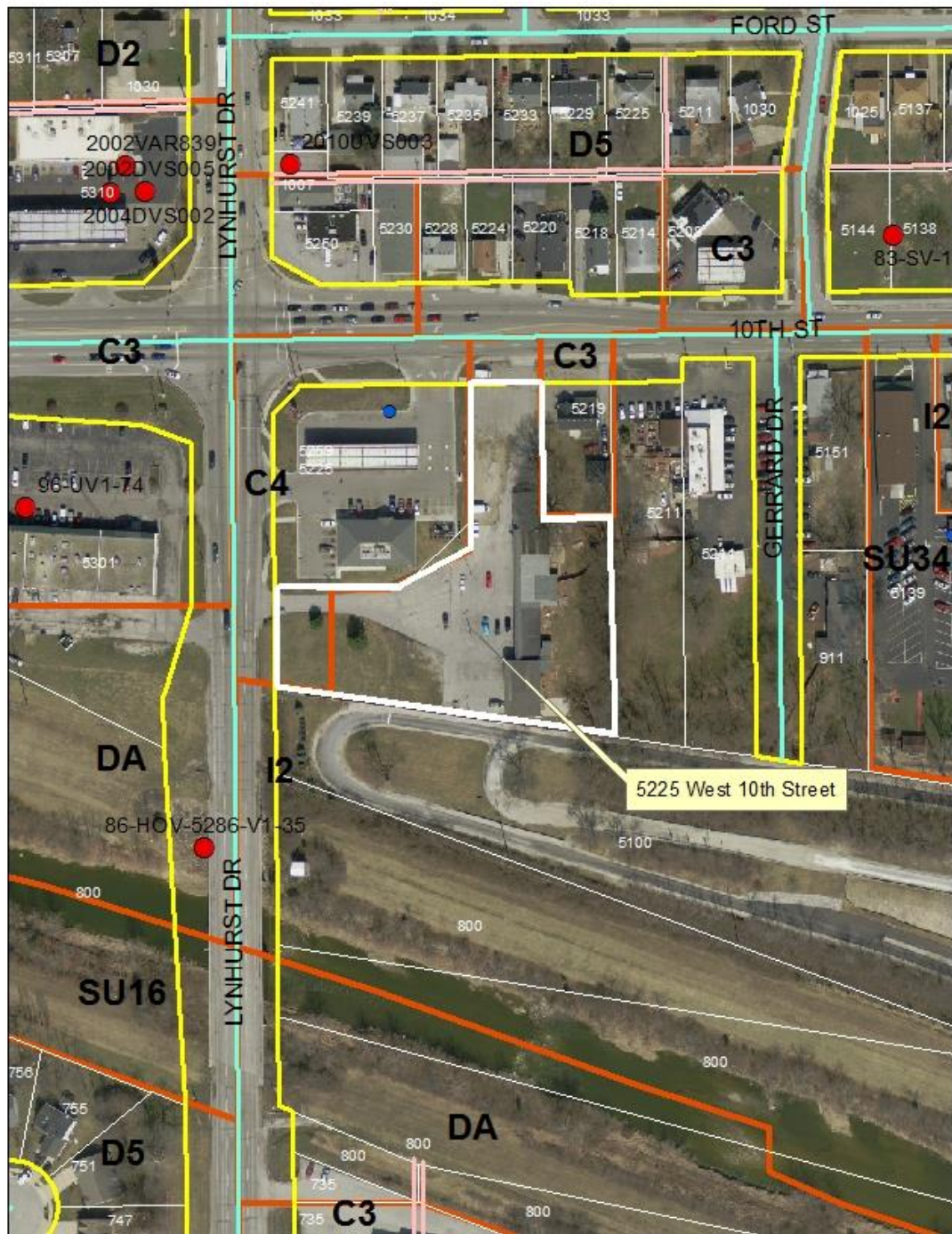
88-UV1-83; 940 North Lynhurst Drive (west of site), requested a variance of use of the Commercial Zoning Ordinance to provide for a produce stand within an existing shopping center, **granted.**

87-Z-125; 940 North Lynhurst Drive (west of site), requested the rezoning of 1.86 acres, being in the A-2 District, to the C-3 classification, to provide for retail use, **approved.**

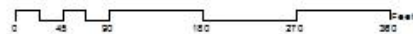
83-Z-139; 5301 West 10th Street (west of site), requested rezoning of 2.576 acres, being in the A-2 District, to the C-3 classification, to provide for retail use, **approved.**

69-Z-315; 5259 West 10th Street (north of site), requested rezoning of 1.09 acre from, the I-2-U district to the C-4 classification to provide for a gasoline service station, **approved.**

kb



5225 West 10th Stret









View from site looking east



View from site looking north, across West 10th Street



View from site looking west



View from site looking southwest



View from site looking southeast at abutting property to the south



View from site looking west, towards Lynhurst Drive

STAFF REPORT

Department of Metropolitan Development Division of Planning

Current Planning Section

Case Number: 2016-CZN-816 / 2016-CVR-816 (Amended)
Address: 1427, 1431, 1433, 1437 and 1443 East Prospect Street and 1116 Spruce Street
Location: Center Township, Council District #21
Petitioner: Jackson Development, LLC, by Rex Ramage
Request: Rezoning of 1.28 acres from the C-4 district to the MU-2 classification to provide for a mixed-use district.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 64-foot tall (maximum 35-foot height permitted) mixed-use development, with commercial businesses exceeding 8,000 square feet (not permitted), to provide for a zero-foot front setback, without landscaping (five-foot setback, with landscaping required), to provide for a five-foot rear transitional setback, without landscaping (10-foot setback, with landscaping required), without interior landscaping (interior landscaping required), and access from an alley or abutting street (curb cuts permitted only if access cannot be provided from an alley).

These petitions will need to be continued from the July 14, 2016 hearing, to the July 28, 2016 hearing, because the variance request was amended and additional time is required to provide new notice.

kb
